

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M No.47316 of 2018
Decided on: 06.02.2019**

Ali Mohammed Azeez Madani

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Mr. V.K. Sachdeva, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this second petition is for grant of anticipatory bail to the petitioner in FIR No.124 dated 31.12.2016 registered under Section 420 IPC at Police Station Sarabha Nagar, District Police Commissionerate, Ludhiana.

It was noticed by this Court on 26.10.2018 that counsel for the petitioner has made submissions that on account of a poor financial condition, the petitioner could not abide by the terms and conditions of the earlier settlement and thereafter, the petitioner has shown his willingness to compromise the matter and on 22.11.2018, two demand drafts of Rs.2 lacs and Rs.10.50 lacs as well as two cheques of Rs.5 lacs and Rs.5.50 lacs were handed over to the complainant. The case was then referred to the Mediation and Conciliation Centre of this Court.

The Mediator has submitted a settlement report and according to the same, the parties have settled their dispute for a total sum of Rs.24.50 lacs and it is admitted between the parties that out of the aforesaid amount, an amount of Rs.23.50 lacs stands paid to the complainant and the petitioner has issued two post-dated cheques of Rs.50,000/- each, to be cleared on 10.03.2019 and 10.04.2019.

Counsel for the petitioner has submitted that the aforesaid two post-dated cheques will be cleared on the due dates i.e. 10.03.2019 and 10.04.2019.

In view of the above, the order dated 22.11.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C. and subject to the condition that the aforesaid post-dated cheques will be cleared on the due dates, failing which it will be open for the prosecution as well as the complainant to revive this petition, in accordance with law.

(ARVIND SINGH SANGWAN)
JUDGE

06.02.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No