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**\* IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 28.01.2019

+ BAIL APPLN. 920/2018

RAJ SINGH DUA

..... Petitioner

versus

THE STATE (NCT OF DELHI)

..... Respondent

**Advocates who appeared in this case:**

For the Petitioner : Mr. Rohit Nagpal with Mr. Sukkdeep  
Kaur Rai, Advocates.

For the Respondent : Mr. Hirein Sharma, APP for the State.  
SI Vikas Sahu, PS Naraina.  
Ms. Shikha Sapra with Mr. Shaswat  
Bhardwaj, Advocates for respondent  
No.2.

**CORAM:-**

**HON'BLE MR JUSTICE SANJEEV SACHDEVA**

**JUDGMENT**

**SANJEEV SACHDEVA, J. (ORAL)**

1. Petitioner seeks anticipatory bail in FIR No.245/2017 under Sections 498A/406/417/354/34 IPC, Police Station Naraina.
2. Parties have settled their disputes and have entered into an MOU dated 25.01.2019. Original MOU has been filed in Court. The

same is taken on record.

3. Learned counsel for the parties submit that as per the MOU dated 25.01.2019, petitioner has undertaken to pay a sum of Rs.30 lakhs apart from the return of the articles, mentioned in Annexure 'A', annexed to the MOU dated 25.01.2019, to the respondent/complainant in full and final settlement of all her claims. Said amount has been agreed to be paid in 3 instalments of Rs.10 lakhs each, which are to be paid at the time of recording of the statement for the First Motion, the Second Motion and quashing of the subject FIR.

4. Though in the MOU it has been agreed that the amount of Rs.22 lakhs deposited by the petitioner, in terms of order dated 24.04.2018 of this Court, as a condition for grant of bail, shall be withdrawn by the Petitioner, however parties have now agreed that the said amount be not released to the petitioner but be utilized for making payments to the respondent/complainant.

5. Accordingly, the said MOU dated 25.01.2019, with the consent of the parties, is modified to the extent that instead of the petitioner seeking release of the said amount of Rs.22 lakhs, petitioner shall pay an additional amount of Rs.8 lakhs to the respondent and the said amount of Rs.22 lakhs, deposited by the petitioner in the form of Fixed Deposit receipts of State Bank of India in the Court of Metropolitan Magistrate, Patiala House, be encashed and the amount remitted to the respondent/complainant in terms of the schedule

agreed to.

6. It is further agreed that at the time of the recording of the statement of the First Motion, petitioner shall pay a sum of Rs.8 lakhs to the respondent over and above the amount of Rs.22 lakhs deposited with the Trial Court and the Trial Court shall release the sum of Rs.2 lakhs out of the amount deposited with it. The balance amount of Rs.20 lakhs remaining with the Trial Court along with interest, if any accrued on the Fixed Deposit Receipt, be released to the respondent/complainant as per the schedule. Petitioner shall handover all the articles mentioned in Annexure 'A' at the time of the signing of the First Motion petition.

7. Further, it is agreed that in case the application of the parties seeking waiver of the statutory period of 6 months is allowed by the Trial Court, the respondent/complainant shall be entitled to both the instalments of the First Motion and the Second Motion simultaneously.

8. It is agreed by the parties that the First Motion Petition shall be filed jointly by the parties latest by 16.02.2019.

9. Parties undertake to abide by the settlement agreement and perform their respective obligations as per the time lines agreed. The Undertaking is accepted.

10. Petitioner was granted interim bail by order dated 24.04.2018.

Keeping in view of the settlement between the parties, I am of the view the petitioner has made out a case for grant of anticipatory bail. Accordingly, it is directed that in the event of arrest, the arresting officer/IO/SHO shall release the petitioner on bail on his furnishing a bail bond in the sum of Rs. 15,000/- with one surety of the like amount to the satisfaction of the arresting officer/Investigating Officer/SHO concerned.

11. The petition is allowed in the above terms.
12. Order *Dasti* under signatures of the Court Master.

**JANUARY 28, 2019**  
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**SANJEEV SACHDEVA, J**