

206

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4524-2021
Date of decision-18.08.2021

SANJAY SAINI

...Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kuldeep V. Singh Ahluwalia, Advocate
for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

Mr. Deepender Singh, Advocate
for the complainant.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.346 dated 18.09.2019 under Section 420 & 406 Indian Penal Code registered at Police Station Pinjor, District Panchkula. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

On 09.02.2021 the following order was passed:-

*“Case taken up through video conferencing.
Learned counsel for the petitioner states that the dispute between the parties is of civil nature regarding which the petitioner/accused has filed a civil suit against the complainant, which is pending and further the complainant has filed a complaint*

under Section 138 of Negotiable Instruments Act, 1881 and that the present FIR has been got recorded as a pressure tactic. Nevertheless the petitioner is ready and willing to settle the dispute with the complainant in an amicable manner.

Notice of motion.

Mr.Tanuj Sharma, AAG, Haryana, accepts notice on behalf of the respondent-State. Sh. Deepender Singh, Advocate has put in appearance on behalf of the complainant. He states that the complainant is also desirous of getting the dispute resolved in an amicable manner, however, the petitioner should be directed to deposit some amount to show his bona fides.

Under the circumstances, the matter is referred to Mediation and Conciliation Centre of this Court directing the parties to appear there on 18.2.2021. The Mediator shall made earnest efforts to get the dispute resolved between the parties amicably and send report in this Court on 29.4.2021.

The petitioner is directed to deposit a sum of Rs.3,00,000/- in the form of a demand draft in the name of the complainant with the Registry of this Court within seven days. It is directed that till the next date of hearing, the petitioner shall not be arrested in this case.”

Learned counsel for the parties have apprised the Court that the attempt before the Mediation & Conciliation Centre of this Court was successful and they have arrived at amicable settlement. Learned counsel for the petitioner has submitted that the petition bearing No. CRM-M-43624-2020 has also been filed for quashing of FIR on the basis of compromise and the same is pending.

The above background is not disputed by learned State counsel assisted by HC Rajbir.

Considering the above, the petition is allowed and it is ordered that even in the arrest, petitioner shall be released on bail, subject to his furnishing requisite bail bonds to the satisfaction of the Arresting /Investigating officer. The petitioner shall also abide by the conditions as

specified under Section 438(2) Cr.P.C.

(MANOJ BAJAJ)
JUDGE

18.08.2021

<i>Vipin kumar</i>	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No