

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

CRM-M-51136 of 2018 (O&M)

DECIDED ON: 2nd JULY, 2021

Sanjeev Kumar Mittal

.....PETITIONER

VERSUS

State of Haryana and another

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Akshit Chaudhary, Advocate for petitioner.

Ms. Dimple Jain, AAG Haryana.

Mr. J.S. Mehendiratta, Advocate for respondent No.2.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

CRM-17645-2021

Notice in the application.

Ms. Dimple Jain, AAG Haryana and Mr. J.S. Mehendiratta, Advocate for respondent No.2, accept the same on behalf of respondents.

The application is allowed as prayed for.

Compromise deed dated 22.2.2020 is taken on record subject to all just exceptions.

Main case

This petition under Section 438 Cr.P.C. was filed for grant of anticipatory bail in case of FIR No. 1315 dated 3.11.2018, under Sections 406, 420 and subsequently added 120-B IPC, registered at Police Station

Jagadhri City, District Yamunanagar (Haryana).

On 21.11.20218, following order was passed:

"Learned senior counsel for the petitioner submits that the present FIR is the outcome of misunderstanding between the parties and the petitioner is ready to settle the dispute with the complainant. The complainant has entered into compromise with the co-accused, who is brother of the petitioner. The petitioner, just to show his bona fide, is ready to deposit an amount of Rs.15 lacs before the Registry of this Court.

Notice of motion for 19.12.2018.

Keeping in view the submissions made by learned senior counsel for the petitioner, let the petitioner deposit an amount of Rs.15 lacs before the Registry of this Court within a period of ten days from today.

Meanwhile, the petitioner is directed to join investigation and in case, he joins investigation, he shall be released on interim bail to the satisfaction of the Arresting Officer. He shall join the investigation as and when required by the Arresting Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under :-

(i)that the petitioner shall make himself available for interrogation before investigating officer as and when required;

(ii)that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

(iii)that the petitioner shall not leave India without the prior permission of the Court.

However, in case, the petitioner fails to deposit an amount of Rs.15 lacs within the stipulated period, the interim order passed in his favour shall stand vacated after expiry of period of ten days."

Learned counsel for the petitioner submits that the matter has been compromised.

Learned counsel for the complainant endorses the compromise. He submits that as per the compromise one document is to be handed over by the petitioner.

Learned State counsel on instructions from ASI Ved Pal is not in a position to comment upon the veracity of compromise.

Considering that the petitioner was granted interim bail on 21.11.2018, in the meantime, the matter was compromised and the counsel on instructions are *ad-idem* with regard to matter having been settled, the order dated 21.11.2018 is made absolute. However, it is clarified that the petitioner shall join investigation as and when called for and would cooperate in the investigation.

2nd JULY, 2021
reema

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>