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

CRM-M-43469-2021

Date of decision : 14.10.2021

Lashkar Ram alias Lakhwinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Amit Dhawan, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Ms. Nritika Verma, Advocate for respondent No.2.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.14 dated 06.03.2021 registered under Section 420 of the Indian Penal Code, 1860 and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Nurmahal, District Jalandhar (Rural) on the basis of compromise dated 30.09.2021 (Annexure P-2).

Learned counsel for the petitioner has submitted that in the present case, even as per the FIR, out of the amount of Rs.1,75,000/-, Rs.40,000/- has already been returned. It is further submitted that in fact, in the present case, the compromise has already been effected between the

parties and reference has been made to the detailed compromise deed dated 30.09.2021 (Annexure P-2) and as per the said compromise, the complainant has stated that he does not want to take any action in the present FIR. It is also submitted that the petition under Section 482 of Cr.P.C. for quashing of FIR on the basis of compromise has already been filed after removing the objections and the same is likely to be listed in the near future. It is also submitted that the present dispute is primarily a civil dispute and is based on the documents and thus, the custodial interrogation of the petitioner is not required.

Learned counsel for the petitioner has also submitted that even the balance amount of Rs.1,35,000/- has already been paid to the complainant and nothing is due towards him.

Notice of motion.

On advance notice, Mr. Saurav Khurana, DAG, Punjab, appears and accepts notice on behalf of the State and Ms. Nritika Verma, Advocate appears on behalf of the complainant and have stated that they are fully prepared to argue the matter.

Learned counsel for the complainant has reaffirmed the fact that the matter has been compromised and has stated that the complainant has no objection in case, the petitioner is granted anticipatory bail.

Learned counsel for the State has opposed the present petition for grant of anticipatory bail to the petitioner.

Keeping in view the abovesaid facts and circumstances, moreso the fact that in the FIR, it has been mentioned that out of Rs.1,75,000/-, an amount of Rs.40,000/- has already been returned and also the fact that the

matter has been compromised and even the balance amount has already been paid to the complainant and the fact that the parties have already filed a petition for quashing of FIR which is likely to be listed in the near future and also the fact that the present case has civil tappings, the present petition is allowed and the petitioner is granted the concession of anticipatory bail subject to the conditions envisaged under Section 438(2) of Cr.P.C. However, the petitioner shall join the investigation as and when called upon to do so.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

14.10.2021*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**