

**209+101 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-22911-2021 (O&M)

Date of decision : 04.07.2022

Hardeep Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. S.S.Salar, Advocate for the petitioner.
Mr. Sandeep Singh Deol, DAG, Punjab.
Mr. Sushil Jain, Advocate for the complainant.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.89 dated 13.05.2021 under Section 420 Indian Penal Code, 1860 registered at Police Station Dehlon, District Ludhiana, who apprehends his arrest at the hands of Police.

On 11.06.2021, this Court had passed the following order:-

“Learned counsel for the petitioner contends that the allegations in the FIR pertain to the agreement to sell dated 03.05.2019 and the sale deed was to be executed by 01.08.2020. Learned counsel has pointed out that though the petitioner was ready to execute the sale deed, but the complainant did not turn up for the registration of the sale deed, who has now falsely implicated the petitioner through this FIR on the ground that the vendor did not disclose that the land is under charge. He submits that the complainant has already filed a civil suit seeking specific performance of the contract and the same is pending. According to him the dispute, if any, is of civil nature, therefore custodial interrogation of the petitioner may not be necessary.

Notice of motion for 22.11.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

At this stage, Mr. Dharam Bir Bhargav, Advocate appears on behalf of the complainant.”

Learned counsel for the petitioner states that during the pendency of the petition, upon a joint request made by the parties, they were relegated to the Mediation and Conciliation Centre of this Court to make an attempt for amicable settlement, however, the said effort did not materialise and the case was sent back to this Court. Later, on 04.04.2022, the accused expressed his willingness to return back the earnest money of Rs.50 lacs.

Today, learned counsel for the complainant states that the order dated 04.04.2022 stands complied with by the petitioner/accused as a sum of Rs.50 lac paid by complainant as earnest money pursuant to the agreement to sell dated 03.05.2019 stands returned to him. He further states that the matter between the parties is compromised.

At this stage, Mr. S.S.Salar, Advocate for the petitioner states that the petitioner/accused is in process of filing a petition for quashing of FIR on the basis of compromise. He further states that in compliance of the order dated 11.06.2021, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel states that indeed the petitioner has

joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 11.06.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

04.07.2022
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No