

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-24617-2022

Decided on :06.07.2022

Chander Gupt and another

. . . Petitioners

Versus

State of Haryana

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Pankaj Bali, Advocate
for the petitioners.

Mr. Praveen Bhadu, AAG, Haryana.

Mr. Namit Khurana, Advocate
for the complainant.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 175 dated 27.03.2022 registered under Sections 406 and 420 of the Indian Penal Code, 1860 registered at Police Station Civil Lines, District Karnal.

On 02.06.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioners and complainant have jointly submitted that the matter has been finally compromised and the final amount, which the petitioner would be paying to the complainant is Rs.41 lacs. The demand draft in the name of the complainant-Vipin Garg of an amount of Rs.15 lacs has been handed over by the learned counsel for the petitioners to the learned counsel for the complainant as part payment of the total finally settled amount of Rs.41 lacs. Learned counsel for the petitioners has further submitted that the petitioners would prepare a

demand draft of an amount of Rs.26 lacs in the name of the complainant and the same would be paid to the complainant before the next date of hearing. It is also submitted that the parties are in the process of filing a petition under Section 482 of Cr.P.C. for quashing of FIR on the basis of compromise.

Notice of motion for 06.07.2022.

Till the next date of hearing, the arrest of the petitioners is stayed.”

Learned counsel for the petitioners has submitted that in pursuance of the above order, the petitioner has paid the balance amount of Rs.26 lacs also and the matter has been fully and finally settled. It is further submitted that the petitioner has filed a petition under Section 482 Cr.P.C. for quashing of the abovesaid FIR on the basis of the compromise i.e. CRM-M-28625-2022.

Learned State counsel is fully prepared to assist the Court and has opposed the present application for anticipatory bail.

Learned counsel for the complainant has submitted that the matter has been compromised and he has received the balance amount of Rs.26 lacs and he has no objection in case the present petition is allowed.

Keeping in view the abovesaid facts and circumstances, the present petition is allowed and in the event of arrest, the petitioner is granted the concession of anticipatory bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer and the conditions envisaged under Section 438(2) Cr.P.C.

However, the petitioner shall join the investigation as and when called upon to do so.

It is made clear, in case, the petitioner fails to join the investigation or does not cooperate with the investigation, then the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to the petitioner.

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.

(VIKAS BAHL)
JUDGE

July 6th,2022
Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No