

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

**CRM-M-25337 of 2022(O&M)
Date of Decision: 23.09.2022**

Subhash Chand Gupta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Ms. Prachi Hasija, Advocate for
 Mr. Kushal Kumar, Advocate
 For the petitioner.**

Mr. Vishal Kashyap, DAG Haryana.

**Mr. Gautam Dutt, Advocate
For the complainant.**

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 147 dated 10.03.2022, registered under Sections 406, 420 and 120-B of Indian Penal Code at Police Station Ballabgarh City.

The counsel for the petitioner submits that the dispute between the parties was relating to one agreement to sell which was executed by the wife of the petitioner in favour of the complainant. The counsel for the petitioner further submits that the petitioner has joined the investigation with the police in the light of the order of interim bail dated 25.07.2022 passed by this Court. The counsel for the petitioner further submits that vide order dated 23.08.2022 passed in connected petition the matter was referred to the

Mediation and Conciliation Centre of this Court and now the dispute has been settled and settlement agreement dated 25.08.2022 has been executed between the parties and the same is available on record of the connected petition.

The State counsel on the instructions from SI Davinder Kumar has admitted the fact with regard to the settlement which has been effected between the parties during the mediation proceedings. Status report by way of affidavit of SI Davinder Kumar, Investigating Officer filed by the State is taken on record along with Annexure R-1 to Annexure R-3.

The counsel appearing on behalf of the complainant has also admitted that the matter has been amicably resolved and he has also not disputed the settlement agreement dated 25.08.2022 which has been executed by the wife of the petitioner and the complainant. The counsel for the complainant has further admitted that petitioner has already made payment of Rs.7.5 lakhs to the complainant out of the total settled amount in compliance of the terms and conditions of aforesaid settlement agreement. The counsel for the complainant has pleaded no objection if the present petition is allowed.

In view of the above, as the matter has been settled between the parties with the intervention of Mediator and the settlement agreement dated 25.08.2022 has been executed by the parties, without commenting on the merits of the case the present petition is allowed and order of interim bail dated 25.07.2022 is hereby made absolute. The petitioner has to abide by the conditions as envisaged under Section 438(2) Cr.P.C.

However, the State as well as the complainant are at liberty to seek the cancellation of the present bail order in case the petitioner fails to comply with the terms and conditions of settlement agreement dated 25.08.2022.

23.09.2022

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**(KARAMJIT SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No