IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

202

CRM-M-32153-2021 (O&M)
Date of decision: 17.01.2022

SURINDER PAL SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Yogesh Goel, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG Punjab.

Mr. AP Kaushal, Advocate
for respondent No.2/complainant.

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HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.157 dated 10.07.2020, registered under Section 420 IPC, at Police Station Division No.5, District Ludhiana.

Vide order dated 13.10.2021, passed by this Court, the parties were directed to appear before the Mediation and Conciliation Center of this Court, to explore the chances of compromise, if any and in the meantime, the arrest of the petitioner was stayed.

Learned counsel for the petitioner as well as learned counsel for respondent No.2/complainant submits that in compliance of the aforesaid order, the parties appeared before the Mediator and a compromise dated 25.11.2021, has been effected between them. The relevant extract of the aforesaid

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I attest to the accuracy of
this order

settlement agreement is as under:-

d) *That the parties have agreed that the petitioner, will have over the possession and execute the sale-deed of furnished alternate flat No.414, 2nd Floor, as per the agreement on or before 25.12.2022 to the complainant. It is further agreed that the petitioner will also hand over the roof rights of Flat No.414, 2nd Floor. The balance amount of Rs.1,76,000/- will not be paid by the complainant as the price of the 2nd Floor flat is less than the ground floor as full and final costs of the flat.*

Learned State counsel does not dispute the aforesaid factual position. She, however, submits that as in another FIR, the petitioner was directed to join the investigation, the petitioner had joined investigation in the present case as well on 20.10.2021.

I have heard the learned counsel for the parties.

Report of the Mediator dated 25.11.2021 perused. As per the said report, an amicable settlement has been effected between the parties and both the parties have agreed to abide by the terms and conditions of the agreement.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is directed to be released on bail, to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) Cr.P.C.

The parties shall further remain abide by the terms and conditions of the settlement agreement dated 25.11.2021.

17.01.2022 **(HARNARESH SINGH GILL)**
Aman Jain **JUDGE**

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

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