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

CRM-M-33712-2021

Date of decision : 21.12.2022

Rajan Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. H.N. Sahu, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

Mr. Sameer S. Tiwari, Advocate for respondent No.2.

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**VIKAS BAHL, J. (ORAL)**

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.256 dated 20.07.2021 registered under Sections 420, 467, 468, 471 of the Indian Penal Code, 1860 at Police Station Sector 56, District Gurugram, Haryana.

On 19.08.2021, this Court had passed the following order:-

*“Learned counsel for the petitioner, inter alia, contends that the petitioner is ready to give the possession of the plot in question or in the alternative even the money which the complainant has paid to the petitioner as per the complainant version i.e. Rs.30,31,500/-. Learned counsel further states that they are ready to deposit ` 10,00,000/- within a period of one month with the Registry of this Court*

*in order to show the bona fide of the petitioner.*

*Notice of motion.*

*On the asking of the Court, Mr. Praveen Bhadu, learned Assistant Advocate General, Haryana, accepts notice for the respondent-State.*

*On the oral request of the learned counsel for the petitioner, the complainant Shashi Parkash w/o Sh. Anil Prakash R/o Village Bhadana, Tehsil Jhajjar, District Jhajjar is impleaded as respondent No.2. Registry is directed to carry out the necessary correction in the memo of parties.*

*As undertaken, the petitioner would deposit an amount of Rs.10,00,000/- with the Registry of this Court within a period of one month from today i.e. till 20.09.2021.*

*Adjourned to 20.09.2021.*

*In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”*

Thereafter, on 15.09.2022, this Court had passed the following order:-

*“Learned counsel for the petitioner as well as the complainant are ad idem that in addition to the amount of Rs.15,31,500/-, the petitioner would also pay some litigation expenses and other expenses incurred by the complainant and thus, the petitioner would now pay balance amount of Rs.18 lacs as a full and final settlement, in addition to the money which he has already been paid and both the parties would then file a petition under Section 482 of Cr.P.C. for quashing*

*of FIR on the basis of compromise.*

*Learned counsel for the petitioner has submitted that three months' time be granted for the same.*

*Adjourned to 20.12.2022.*

*The petitioner is directed to bring the demand draft amounting to Rs.18 lacs prepared in the name of the complainant on the next date of hearing before this Court.*

*The parties would also be at liberty to file a petition under Section 482 of Cr.P.C. for quashing of FIR on the basis of compromise after entering into a written compromise.*

*Interim order to continue.*

*A photocopy of this order be placed on the file of other connected case.”*

Learned counsel for the petitioner has submitted that the petitioner, out of an amount of Rs.18 lacs, has paid an amount of Rs.10 lacs and the matter has been fully compromised and a petition bearing No.CRM-M-59569-2022 for quashing of FIR on the basis of compromise has also been filed as the compromise has been fructified and the petitioner has also joined the investigation in pursuance of abovesaid order dated 19.08.2021. It is further submitted that the petitioner will fully comply with the terms of compromise.

On the other hand, learned State Counsel has submitted that the petitioner has joined the investigation.

Learned counsel for the complainant has not disputed the facts that the matter has been compromised and out of an amount of Rs.18 lacs, an amount of Rs.10 lacs has also been paid and also the fact that a petition bearing No.CRM-M-59569-2022 for quashing of FIR on the basis of compromise has also been filed. It is further submitted that the balance

amount of Rs.8 lac is due from the petitioner.

Learned counsel for the petitioner has assured that the petitioner would comply with the terms and conditions of the compromise.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid orders and also the fact that the petitioner has joined the investigation and the fact that the matter has been compromised, the present petition is allowed and the interim order dated 19.08.2021 is ordered to be made absolute.

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.

All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

**21.12.2022**

*Pawan*

**(VIKAS BAHL)  
JUDGE**

**Whether speaking/reasoned:-**

**Yes/No**

**Whether reportable:-**

**Yes/No**