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

CRM-M-41127-2020

Date of decision : 13.05.2022

Jagdeep Singh

...Petitioner

Versus

State of Haryana and another

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Bhupinder Ghai, Advocate for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

Mr. Johan Kumar, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.494 dated 20.09.2019 registered under Sections 406, 420, 506 of the Indian Penal Code, 1860 at Police Station City Fatehabad, District Fatehabad.

On 07.04.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“Case has been taken up for hearing through Video Conferencing.

Learned counsel for the petitioner submits that petitioner is ready to settle the matter with the complainant and the matter may be referred to the Mediation and Conciliation Centre of this Court.

Learned counsel for the complainant submits that complainant is also ready to settle the matter and has no objection in case the matter is referred to the Mediation and Conciliation Centre of this Court.

Parties are directed to appear before the Mediation and Conciliation Centre of this Court on 20.04.2021 to explore the chances of amicable settlement of the matter in dispute and report of Mediator be awaited for 23.07.2021.

Meanwhile, no coercive steps shall be initiated against the petitioner qua instant FIR.

Sd/-(LALIT BATRA)

JUDGE

07.04.2021”

Thereafter, a settlement had been arrived at before the Mediation and Conciliation Centre of this Court on 15.12.2021 and as per the terms of the said compromise, total amount of Rs.8,50,000/- was to be paid as full and final settlement by the petitioner to the complainant and out of the same, an amount of Rs.1,00,000/- was to be paid within a period of one month i.e. from 15.12.2021 upto 15.01.2022 and an amount of Rs.7,50,000/- was to be paid on or before 30.04.2022. The said compromise was signed by the petitioner, however, when the matter was taken up on 15.03.2022, request was made that the case be adjourned so that an amount of Rs.8,50,000/- be transferred into the account of the complainant. On 04.05.2022, last opportunity was sought by the petitioner to transfer the said amount.

Today, learned counsel for the petitioner has submitted that the said amount has not been paid. It is apparent from the abovesaid conduct of the petitioner that the petitioner, after having the interim order passed in his

favour had got the matter referred to the Mediation and Conciliation Centre of this Court and had settled the matter for an amount of Rs.8,50,000/- and neither he has paid any amount to the complainant nor has abided by the terms of the compromise. The said conduct thus, dis-entitles the petitioner from the concession of anticipatory bail. Moreover, allegations levelled in the FIR are also serious inasmuch as, the petitioner has cheated the complainant of an amount of Rs.10,00,000/-.

Keeping in view the abovesaid facts and circumstances, the present petition is dismissed.

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.

13.05.2022*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:-****Yes/No****Whether reportable:-****Yes/No**