

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

**CRM-M No.41387 of 2022 (O&M)
Date of decision : 08.12.2022**

Balwant Singh @ Pilla

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Aman Joon, Advocate and
Mr. Rajiv Kataria, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

The petitioner has prayed for grant of pre-arrest bail in FIR No.128 dated 20.08.2022 registered under Sections 420/406 IPC, at Police Station Anaj Mandi, District Patiala.

On 14.09.2022 while issuing notice of motion the following order was passed:-

“Apprehending his arrest in FIR No. 128 dated 20.8.2022 for offences punishable under Sections 420 and 406 IPC, 1860 registered at Police Station Anaj Mandi District Patiala, the petitioner has preferred this petition under Section 438 Cr. P.C seeking pre-arrest bail.

Learned counsel for the petitioner inter alia contends that whole of the allegation against the petitioner is that he duped the complainant for a sum of Rs.1,60,000/- and is ready to return the same. He further submits that the complainant has died.

At this stage, Mr. Puneet Sharma, Advocate has put in appearance on behalf the complainant i.e. one Chinki and her husband Jatinder Malli. He has filed his vakalatnama. The same is taken on record. As per the contents of the FIR Chinki is the person who was promised with the job

and Jatinder Malli is her husband. In order to show bonafides of the petitioner, learned counsel for the petitioner has brought Rs.80,000/- in cash and submits that the petitioner shall pay Rs.40,000/- in monthly instalments starting from the month of October, 2022 i.e. Rs.40,000/- in the first week of October, 2022 and the rest amount of Rs. 40,000/- in the first week of November, 2022. Rs.80,000/- have been handed over to Jatinder Malli who has been identified by Mr. Puneet Sharma, Advocate for the complainant to be son of the complainant-late Amarjit Kaur.

In view of the aforementioned facts, the matter is referred to Mediation and Conciliation Centre of this Court to record the statements of the parties and to formulate the terms of settlement.

The parties shall appear before the Mediation and Conciliation Centre of this Court on 26.9.2022.

Notice of motion.

On the asking of the Court Mr. Gurdarshan Singh Sidhu, Asstt.A.G., Punjab who is present in Court accepts notice.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.

To come up on 08.12.2022.”

Vide order dated 14.09.2022 present matter was referred before the Mediation and Conciliation Centre attached to this Court. As per the report received from the Centre, the parties have compromised the matter and the compromise/settlement dated 10.11.2022 has been placed on record along with the report.

Learned State counsel on instructions from ASI Rajinder Kumar does not dispute the fact of compromise effected between the parties.

Resultantly, the interim order dated 14.09.2022 passed by this Court is made absolute.

This petition stands disposed off.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

08.12.2022
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No