

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

CRM-M-54498-2021 (O&M)

Date of decision: 25.04.2022

Neeraj Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Bipan Ghai, Sr. Advocate
with Mr. Anter Singh Brar, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Gaurav Sethi, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR
No.0103 dated 30.11.2021 registered under Section 420 IPC at Police
Station Dhakoli, District S.A.S. Nagar, Mohali.

The operative part of the order dated 06.01.2022, vide which
the petitioner has been granted interim bail, is reproduced below:

“Learned senior counsel for the petitioner has
submitted that primarily it is a dispute arising out of a
business transactions and the petitioner is ready to explore
the possibility of some amicable settlement before the
Mediation and Conciliation Centre of this Court. It is
further submitted that the petitioner, to show his bona fide,
will deposit a sum of Rs.15.00 lacs with the Registrar
Judicial of this Court within a period of 45 days from
today.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab who is present in the Court accepts notice on behalf of the respondent – State while Mr. Gaurav Sethi, Advocate has appeared on behalf of the complainant and argued that there is a difference of the calculation of the amount due between the petitioner and the complainant.

List again on 25.04.2022.

At the very outset, considering the preliminary arguments of both learned counsel for the parties, I deem it appropriate to refer the case to the Mediation and Conciliation Centre of this Court. The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 14.02.2022.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 06.01.2022, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the parties are *ad idem* that as per compromise/settlement dated 21.04.2022, arrived at between the parties before the Mediation and Conciliation Centre of this Court, it has been agreed that the petitioner has to pay an amount of Rs. 60 Lakh, out of which Rs. 15 Lakh has already been paid as first installment and the subsequent installments are to be paid as per Clause 8 of the aforesaid compromise/settlement, wherein the last installment is to be paid by 31.12.2022.

Learned State counsel, assisted by learned counsel for the complainant, has not disputed the aforesaid facts.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 06.01.2022, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

This will be further subject to the condition that the petitioner will adhere to the terms and conditions of the aforesaid compromise/settlement and in case he makes any default in making payment as agreed, it will be open for the complainant to revive the present petition.

25.04.2022

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No