

CRM-M-5365-2022 (O&M)
CRM-M-10150-2022 (O&M)
CRM-M-9424-2022 (O&M)
CRM-M-9762-2022 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-5365-2022 (O&M)
Date of decision: 15.02.2023

SUNNY SAINI

....Petitioner(s)

Versus

STATE OF HARYANA AND ANOTHER

...Respondent(s)

CRM-M-10150-2022 (O&M)

INDIRA DEVI

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CRM-M-9424-2022 (O&M)

SACHIN SAINI

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CRM-M-9762-2022 (O&M)

MUKESH SAINI

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Dhiraj Chawla, Advocate
for the petitioner in CRM-M-5365-2022.

Mr. Amitabh Tewari, Advocate
for the petitioner in other three cases.

Mr. Tanuj Sharma, AAG Haryana.

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Mr. Kulwinder Singh, Advocate
for the complainant.

AMAN CHAUDHARY. J.

Present petitions have been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No.0020 dated 21.01.2022, under Sections 406, 420 and 34 of the Indian Penal Code, 1860 registered at Police Station Bahadurgarh City, Jhajjar District Jhajjar.

The matter had been referred to the Mediation and Conciliation Centre of this Court, pursuant to which report dated 19.01.2023 has been received, wherefrom it transpires that the matter stands compromised between the parties and the terms thereof have been reduced in writing in the compromise/settlement deed, as per which, out of the disputed amount of Rs.50 lacs, an amount of Rs.25 lacs have already been paid to the complainant and the balance of Rs.25 lacs was to be paid in instalments, out of which 1st cheque amounting to Rs.2.5 lacs dated 19.01.2023 has been cleared and the last payment is payable on or before 20.09.2023.

Learned counsel appearing on behalf of complainant confirms the aforesaid factum of having received the amount by way of 1st instalment and has no objection, if anticipatory bails are allowed.

Learned counsel for the petitioners submits that in pursuance of order dated 31.03.2022, of this Court, the petitioners have not only joined investigation but have also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioners to appear, they shall

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make themselves available without demur.

Learned State counsel on instructions affirms the factum of joining the investigation by the petitioners and cooperating with the investigation agency. He also submits that at this stage, the petitioners are not required for further custodial interrogation.

In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petitions filed by the petitioners are allowed and the order dated 31.03.2022 granting interim bail to them, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

However, it is made clear that if the petitioners fail to join and cooperate with the investigation agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to them.

(AMAN CHAUDHARY)
JUDGE

February 15, 2023
M.Kamra

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No