

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

1. CRM-M No.11113 of 2022

Nirmal Singh

... Petitioner

Versus

State of Haryana

... Respondent

2. CRM-M No.9752 of 2022

Virender Kumar

... Petitioner

Versus

State of Haryana

... Respondent

Date of decision: 20th September, 2023

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Arpandeeep Narula, Advocate for the petitioners.

Ms. Trishanjali Sharma, Dy. Advocate General, Haryana
for the respondent/State.

Mr. K.S. Brar, Advocate for the complainant-Gurpreet Singh.

Mr. Sartaj S. Gill & Mr. Rahil Mahajan, Advocates
for the victim-Nardev Singh.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioners in both the petitions detailed hereinabove are seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.121 dated 01.12.2020 under Sections 384, 387, 506, 34 IPC registered at Police Station Rori, District Sirsa.

2. Learned counsel for the petitioners has handed over three demand drafts bearing No.115070 dated 05.09.2023, No.115138 dated 13.09.2023 and No.744254 dated 19.09.2023 in the sum of ₹ 7,50,000/-,

₹ 1,80,000/- and ₹ 1,20,000/-, respectively to the learned counsel for the complainant in the Court today, as per the terms and conditions settled between the parties before the Mediation and Conciliation Centre of this Court. A copy of the said demand drafts has been placed on record.

3. Learned counsel appearing on behalf of the complainant Gurpreet Singh as well as victim Navdev Singh have not disputed that the petitioners have complied with the terms and conditions as laid down in the settlement arrived at between them before the Mediation and Conciliation Centre with respect to the amount payable to them. They, however, submit that as per the terms of the settlement, ₹ 5.00 lacs which had been deposited before the trial Court in the shape of a demand draft, would have to be revalidated/renewed as it has already expired.

4. Learned counsel for the petitioners undertakes that the same would be done within next ten days from today.

5. On the said bank draft of ₹ 5.00 lacs being revalidated/renewed, the complainant party would be at liberty to withdraw the said amount.

6. Learned State counsel, on instructions, does not dispute the factum of settlement arrived at between the parties. She, on further instructions submits that the petitioners are not required for further investigation much less for their custodial interrogation.

7. In the circumstances, the petitions are allowed and the interim order dated 08.03.2022 passed in CRM-M No.9752 of 2022 is made absolute subject to the conditions laid down in Section 438(2)

Cr.P.C. In CRM-M No.11113 of 2022, it is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the Arresting/Investigating Officer, however, she shall abide by the conditions laid down in Section 438(2) Cr.P.C.

8. An undertaking has been given by both the parties that they would adhere to the terms and conditions of the settlement so arrived at between them before the Mediation and Conciliation Centre of this Court.

(MANJARI NEHRU KAUL)
JUDGE

September 20, 2023
rps

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