

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

CRM-M-18078-2021
Decided on : 13.09.2023

Nirmala

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Karan Jindal, AAG, Haryana.

Mr. Rakesh Dhiman, Advocate
for the complainant.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No.89 dated 22.03.2021 registered under Sections 406, 420 IPC at Police Station Sadar Ballabhgarh, District Faridabad.

Vide order dated 29.04.2021, petitioner was granted the concession of interim bail in the following terms:-

“Learned counsel for the petitioner submits that it is due to some misunderstanding between the parties that FIR No.89 dated 22.03.2021 under Sections 406, 420 IPC has been registered at Police Station Sadar Ballabhgarh, District Faridabad. Petitioner is ready and willing to amicably resolve the entire dispute.”

Thereafter, a settlement/compromise had been entered into between

the petitioners and the complainant-Rajvir before the Mediation and Conciliation Centre of this Court on 09.04.2022 and the same was on record. As per settlement, parties agreed that the complainant would transfer Rs.50,000/- in the name of Nahar Singh (petitioner in CRM-M-40628-201), which included Rs.25,000/- earlier handed over to the complainant by the petitioner in terms of the compromise. However, repeated adjournments had been sought by the learned counsel for the petitioner on the ground that certain formalities remained to be carried out.

Learned counsel for the complainant, however, submitted that the petitioner(s) had sought adjournments on one pretext or the other. He submitted that if the petitioner(s) made some concrete offer qua the amount, which she/they were willing to pay as compensation qua the remaining 12 marlas of land, he would not be averse to accept it provided that the same would not be less than Rs.22 lakhs i.e. the prevailing market rate. He further submitted that in the meantime, the petitioner(s) be directed to at least execute the sale deed qua 07 kanals of land qua which NOC had been obtained.

Learned counsel for the petitioner had undertaken to get the sale deed qua 07 kanals of land executed before the next date of hearing.

Learned counsel for the petitioner states that pursuant to order dated 29.04.2021, passed by this Court, the petitioner has joined the investigation. This fact is not disputed by the counsel for the State as well.

Learned State counsel on instructions states that the petitioner is no longer required for further interrogation. On a pointed query put to learned State counsel qua the criminal antecedents of the petitioner(s), he on instructions

submits that the petitioner is not involved in any other criminal case, however, her husband Nahar Singh is involved in another case FIR No.696 dated 09.11.2020 under Sections 420, 467, 468, 471, 506 and 120-B IPC at P.S. City Ballabhgarh District Faridabad.

In view of the clean antecedents of the petitioner and the fact that her custodial interrogation not being required by the police, the petition is allowed and interim order dated 29.04.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

13.09.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No