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

CRM-M-19859-2023(O&M)

Date of Decision: 25.04.2023

JASWINDERPAL SINGH RIAR

....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Baltej Singh Sidhu, Senior Advocate assisted by
Mr. Chandan Singh, Advocate
for the petitioner.

Mr. Aditya Kapoor, AAG, Punjab.
for respondent No.1/State.

Mr. Tarunveer Vashisht, Advocate
for respondent No.2.

HARSH BUNGER, J. (Oral)

Petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure for quashing of FIR No.204 dated 22.07.2022, under Sections 406 and 420 of the Indian Penal Code, registered at Police Station City Kharar, District S.A.S. Nagar (Mohali) and all the consequential proceedings arising therefrom on the basis of agreement/compromise deed dated 18.06.2021 (Annexure P-3).

2. A perusal of the petition would show that the petitioner has filed an application for grant of anticipatory bail in *CRM-M-55771-2022*, wherein the arrest of the petitioner was stayed on the statement of learned Senior counsel appearing for the petitioner to the effect that petitioner is ready and willing to settle the dispute with the complainant. Accordingly, various opportunities were afforded to the petitioner and certain payments were also

made. However, the time schedule agreed between the parties was not adhered to by the petitioner. Further, on 17.04.2023, the petitioner has handed over a cheque bearing No.000140 amounting to Rs.2,00,000/- to respondent No.2-Smt. Rajinder Kaur and another cheque bearing No.000141 amounting to Rs.1,50,000/- was permitted to be given by the petitioner to the respondent No.2 after the filing of the quashing petition.

3. After filing of the present petition, the petitioner was to make the payment of Rs.1,50,000/- to the respondent No.2 as is agreed between the parties. However, the said payment was not made. Apart from the above, even the cheque of Rs.2,00,000/- which was given to respondent No.2 in Court on 17.04.2023, was also dishonored upon presentation with the remarks “account blocked”.

4. Learned counsel appearing for the petitioner has submitted that the petitioner has not brought the said amount of Rs.1,50,000/- and has rather stated that he has only Rs.1,00,000/- to offer as on date and sought for some more time.

5. Since the petitioner had neither complied with the terms of compromise (Annexure P-3) nor he had made the payment as undertaken by him before this Court in **CRM-M-55771-2022**, wherein he had sought anticipatory bail and rather, one of the cheques, which was paid before this Court i.e. Cheque no.000140, amounting to Rs.2 lacs which was handed over to respondent No.2-complainant in the Court on 17.04.2023 and finds mention in that very order, has been dishonoured with the remarks “account blocked”, learned counsel for respondent No.2 has objected to grant more time to the petitioner by submitting that petitioner has not honoured the settlement which was arrived at between them and he is intentionally delaying the matter and is causing undue harassment to the

complainant/respondent No.2-Smt. Rajinder Kaur.

6. Taking note of the said objections and also finding that the conduct of the petitioner was not above board, the anticipatory bail petition of the petitioner was dismissed.

7. In view of the afore-stated facts, since the petitioner has neither abided by the terms and conditions of settlement/compromise (Annexure P-3) arrived at between the parties nor the petitioner has made payments to respondent No.2 in accordance with the schedule of payment as agreed to by him in **CRM-M-55771-2022**, coupled with the fact that one of the cheques i.e. Cheque No.000140 amounting to Rs.2 lacs which was handed over by petitioner to respondent No.2 in Court (in **CRM-M-55771-2022**) on 17.04.2023, has been dishonoured with the remarks “Account blocked” and respondent No.2 has specifically objected to grant of more time to the petitioner, accordingly, the present petition seeking quashing of the FIR on the basis of compromise is dismissed.

8. All pending application/s, if any, shall stand closed.

25.04.2023

Amandeep/gurpreet

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No