

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-30866-2023 (O&M)
Date of decision: 07.11.2023

SHAKUNTLA DEVI AND ANR

....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. N.S. Sidhu, Advocate for the petitioners.
Mr. Gagandeep Singh Chhina, AAG Haryana.
Mr. Rakesh Sobti, Advocate for the complainant.

SANJIV BERRY. J. (Oral)

By way of instant petition filed under Section 438 Cr.P.C, the petitioners seek anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
174	26.05.2023	420, 467, 468, 120-B IPC	City Rewari, District Rewari

2. Learned counsel for the petitioners, *inter alia*, contends that during the pendency of the proceedings, the parties have effected compromise and placed a copy of the compromise/MOU dated 15.10.2023 in this regard on file. He submits that the petitioners have already made the payment of the amount in question to the complainant and the complainant has even given the undertaking to give the requisite statement before the Court in case quashing petition of the

aforesaid FIR is filed. He further submits that the petitioners are ready to join investigation.

3. The complainant of the case Manoj Kumar has appeared in the Court along with his counsel and has stated at the Bar that he has effected compromise with the petitioners. He further submits that he has no objection in case anticipatory bail is granted to the petitioners as he does not want to take any further action against them. He further submits that as per the compromise, he has already received the amount of Rs.21 lakhs from the petitioners and as such he will be bound to appear in the Court in case any quashing petition qua the present FIR is filed.

4. Learned State counsel, on the other hand, has opposed the bail petition in terms of the reply already filed by the state.

5. After considering the rival contentions and the fact that the complainant has effected compromise dated 15.10.2023 with the petitioners and has received the amount in question and has specifically stated that he has no grievance against the petitioners as of now and also no objection in case anticipatory bail is granted to the petitioners, in the interest of justice, without commenting on the merits of the case, the present petition is allowed. The petitioners are hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioners, they shall be released on bail on their furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. They shall also abide by conditions as envisaged under Section 438(2) Cr.P.C. Further, the petitioners are directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioners; they will not tamper with the evidence nor will influence the witnesses and will

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not leave the country without prior permission of the Court.

6. The petition stands allowed.
7. Pending application(s), if any, also stand disposed of.

(SANJIV BERRY)
JUDGE

07.11.2023
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No