

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

Usha and another Petitioners
Versus

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Rajesh Bhardwaj, J. (ORAL)

Learned counsel for the petitioners has submitted that the petitioners were granted interim bail by this court on 01.10.2021. He submits that a compromise was also arrived at between the parties, however, the complainant thereafter disputed the same. He submits that both the petitioners have joined the investigation time and again. He submits that on the last date of hearing i.e. 02.02.2023, the parties were referred to the Mediation and Conciliation Centre of this Court for resolving the dispute amicably, however, the same remained unsuccessful. He also submits that the petitioners have no criminal antecedents and they have duly joined the investigation and thus, the interim order may kindly be made absolute.

Report of the Mediator dated 02.03.2023 has been received affirming the fact that the parties could not arrive at an amicable settlement.

Learned State counsel, on instructions from ASI Ajay Kumar, has affirmed the fact that the petitioners have joined the investigation and submitted that they are no more required for further investigation. He further submits that as per instructions the parties at one stage entered into compromise, but thereafter there again arose dispute between them. He submits that as per instructions, the petitioners are not involved in any other case.

After hearing learned counsel for the parties and perusing the record, it is apparent that the petitioners have joined the investigation and the dispute is regarding payment of money. It was submitted before this Court on 02.02.2023 that out of Rs.19 lacs, Rs.9 lacs is still pending. However, at this stage the Court would not go into the disputed question of facts and the same deserve to be investigated and thereafter to be established before the learned trial Court by leading evidence by the parties.

Resultantly, the order dated 01.10.2021 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C. and the petition stands allowed.

20.04.2023			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No