

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

CRM-M-39645-2022 (O&M)

DECIDED ON: 01.06.2023

TAJINDER SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Vishal R. Lamba, Advocate for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

Mr. Shivansh Malik, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

CRM-24569-2023

This is an application under Section 482 of Cr.P.C., for placing on record settlement deed dated 17.04.2023 as Annexure P-9 and for quashing of FIR No.306 dated 04.08.2022.

For the reasons recorded in the application and the submissions made, the settlement deed dated 17.04.2023 is taken on record as Annexure P-9 subject to all just exceptions.

CRM-M-39645-2022

The instant petition under Section 438 Cr.P.C., has been filed for grant of anticipatory bail to the petitioner in FIR No.306, dated 04.08.2022, under Section 420 of IPC, 1860 (Sections 467, 468, 34 of IPC added later on), registered at Police Station Arya Nagar, Rohtak (Annexure P-1).

Learned counsel for the petitioner on the strength of the settlement deed dated 17.04.2023 (Annexure P-9) seeks grant of anticipatory bail in the said FIR, wherein offences under Sections 420, 467, 468, 34 of IPC

have been attracted alleging that the dispute is between the members of a family pertaining to the share over the house bearing No.616-19, Shakti Nagar, Rohtak.

Learned counsel for the complainant submits that he has no objection, if the petition is accepted, in the light of settlement deed dated 17.04.2023 (Annexure P-9).

Learned State counsel though, refers to the allegations made in the FIR to assert that the offence under Sections 420, 467, 468 are made out, but did not oppose to the settlement arrived at between the parties and very fairly submits that its a dispute between family members pertaining to share in a house.

Considering the aforesaid facts in totality, the present petition is accepted and the petitioner is directed to be released on anticipatory bail on furnishing personal/surety bonds to the satisfaction of Arresting Officer/Investigating Officer.

Ordered accordingly.

However, it is made clear that till the trial Court concludes the proceedings or any other remedy in the form of quashing of FIR on the basis of settlement deed dated 17.04.2023 (Annexure P-19) is concluded, the petitioner shall be bound by the conditions as envisaged under Section 438 (2) Cr.P.C., and will appear before the Investigating Officer, as and when called for.

(SANDEEP MOUDGIL)
JUDGE

01.06.2023

Meenu

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