

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(115)

CRWP-9958-2023
Date of Decision:-11.12.2023

Rakesh Mann
.....Petitioner

Versus

State of Haryana and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Vishal Singh Chauhan, Advocate for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Aniket Sindhar, Advocate for
Mr. Ramesh Sindhar, Advocate
for respondent No. 5.

ALOK JAIN, J. (Oral)

1. The Mediation has failed on account of the fact that the petitioner did not present himself even on a single date.
2. Learned counsel for the petitioner submits that, in fact, the parties had to appear before the Mediator on 06.11.2023, however, since, an FIR has been lodged against the petitioner on 04.11.2023, he could not put in appearance.
3. Learned counsel for the petitioner has fairly submitted that, in fact, the petitioner was granted the concession of anticipatory bail on 18.11.2023, however, even thereafter, the petitioner did not put in appearance on 28.11.2023 which was the date fixed before the Mediator, which has reported that the matter was a non-starter on account of the absence of the petitioner.

CRWP-9958-2023

-2-

4. It is a strange case that on the very first date of hearing, the counsel for the petitioner clearly made a statement that the parties be relegated to the Mediation Centre to resolve the issue and today a new story is propounded by the petitioner that the respondents are asking for a sum of Rs. 15,00,000/-, whereas, this was never the amount in the alleged agreement to sell.

5. Learned counsel for respondent No. 5 has submitted that the petitioner is misleading the Court and in fact, he was granted bail on the basis of one of his submissions that he had deposited a sum of Rs. 13,50,000/- before this Court in CWP-25399-2023 (O&M). On the contrary, no such amount was deposited and rather the said CWP-25399-2023 (O&M) has been dismissed.

6. However, in light of the fact that an FIR has been lodged against the petitioner and there is no threat perception subsisting, nothing survives in the present petition. Accordingly, the same stands dismissed.

7. It is made clear that filing or pendency of this petition or any order/direction passed in this petition shall not be an *alibi* or defence to the petitioner, in case, he is found involved in any illegal activity and the respondent-Authorities shall take appropriate action, in accordance with law.

(ALOK JAIN)
JUDGE

December 11, 2023
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No