

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-31103-2023
Date of Decision : April 15, 2024

NEETU SHARMAPetitioner
VERSUS
STATE OF HARYANARespondent

CRM-M-31357-2023

AMITPetitioner
VERSUS
STATE OF HARYANARespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Nipun Vashist, Advocate for the petitioner(s).
Mr. Bhupender Singh, DAG, Haryana.
Mr. Rajesh Hooda, Advocate for the complainant.

KULDEEP TIWARI, J. (Oral)

- Through the instant petition, prayer is made for grant of anticipatory bail to the petitioner(s), in case FIR No.190 dated 22.3.2023, under Sections 420, 120-B IPC, registered at P.S. Gurugram Sadar, District Gurugram.
- From the perusal of the FIR, it transpires that the dispute is with regard to the purchase of land and the complainant has made a payment of Rs.25 lacs, to become a co-sharer in the land, which the petitioner intended to purchase. Thereupon, upon non-compliance to the assurance given, the instant FIR has been registered.
- On the last date of hearing, the following order was passed:-

“Learned counsel for the petitioner submits that the petitioner is ready to pay the entire disputed amount i.e. ₹25 lacs to the complainant in order to settle the

matter once and for all.

Learned counsel for the complainant submits that in case the petitioner pays the entire disputed amount within a time bound manner, they do not have any objection in settling the matter with the petitioner.

Petitioner-Neetu Sharma is directed to bring demand draft of ₹10 lacs drawn in favour of complainant on the next date of hearing.

Adjourned to 15.4.2024.

Interim order to continue.

To be shown in the urgent list.

A photocopy of this order be placed on the file of connected case.”

4. In pursuance of the directions issued by this Court and in order to show his bonafide, today, the learned counsel for the petitioner has placed on record the photocopy of cheques No.051566 and 000024 of Rs.5 lacs and Rs.3 lacs respectively drawn in favour of the complainant with the liberty to the complainant that he may fill up the dates of his own choice in the above cheques and assured this Court that the cheques will be honoured accordingly. Though on the last of date of hearing, the petitioner-Neetu Sharma was directed to bring demand draft of Rs.10 lacs, however, the learned counsel for the petitioner submits that the petitioner-Neetu Sharma is not keeping good health and because of this reason, she could not arrange Rs.2 lacs more. However, he further submits that within three months from today, the petitioner would clear the entire amount to the complainant i.e. Rs.17 lacs. The proposal as made by the learned counsel for the petitioner-Neetu Sharma, is duly accepted by the learned counsel for the complainant and he submits that

in case full and final payment is made by the petitioner, the complainant has no objection even if the FIR in question is quashed.

5. Learned State counsel on instructions imparted to him by ASI Brij Bhusan, submits that the petitioners have already joined the investigation and they are fully co-operating with the investigation process and they are not required for any further custodial investigation.

6. In view of the specific stand taken by the learned State counsel, the present petitions are **allowed** and the orders dated 23.6.2023 and 30.6.2023 are, hereby, made absolute subject to the condition that the petitioners shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

7. The remaining balance amount shall be deposited with the IO concerned, within three months and thereupon, he shall release the amount in favour of the complainant.

8. It is further made clear that in case the petitioner fails to clear all the outstanding amount within three months from today, the interim order as granted by this Court, shall be deemed to be *ipso-facto* vacated without any further reference to this Court.

9. **Disposed** of accordingly.

April 15, 2024
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(KULDEEP TIWARI)
JUDGE

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