



In the High Court for the States of Punjab and Haryana
At Chandigarh

I) CRM-M-35232-2024 (O&M)

Shivani Batta ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-35234-2024 (O&M)

Yogesh Batta ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-11.11.2024

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Sidhi, Bansal, Advocate with
Mr. Ridhi Bansal, Advocate,
for the petitioner(s).

Mr. Japjot Singh, AAG, Punjab.

Mr. Aashish Bhagat, Advocate for the complainant.

FIR No.	Dated	Police Station	Section/s
231	13.6.2024	Zirakpur, SAS Nagar (Mohali), Punjab	406, 420, 120-B of Indian Penal Code

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Shivani Batta and Yogesh Batta seeking grant of anticipatory



CRM-M-35232-2024 (O&M) &
CRM-M-35234-2024 (O&M)

(2)

bail in respect of the abovementioned FIR, wherein the allegations are broadly to the effect that the petitioners, who are husband and wife, had defrauded the complainant of an amount of Rs.6 lakhs on the pretext of selling his house, which they never sold.

2. At the time of issuance of notice of motion, the following common order was passed on 25.7.2024 in both the cases:

“Today, at the very outset learned counsel for the petitioner(s) submits that the parties have entered into an amicable settlement and that it has been agreed that the petitioner(s) shall pay an amount of Rs.8 lakhs to the complainant out of which Rs.3 lakhs shall be paid within 3 days from today and the remaining Rs.5 lakhs within a month thereafter.

Notice of motion for 11.11.2024.

At this stage, Mr. Aashish Bhagat, Advocate has put in appearance on behalf of complainant and has filed power of attorney. The same is taken on record. Learned counsel for the complainant has submitted that the matter has been amicably resolved as stated by learned counsel for the petitioner(s) and that he does not have any objection for grant of anticipatory bail provided the petitioner(s) abide by the terms of compromise i.e. the payment of Rs.8 lakhs.

Meanwhile, in the event of arrest, the petitioner(s) be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner(s) shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

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



CRM-M-35232-2024 (O&M) &
CRM-M-35234-2024 (O&M)

(3)

3. Learned counsel for the petitioner(s) submitted that in compliance of order dated 25.7.2024, the entire agreed amount of Rs.8 lakhs stands paid to the complainant.
4. Mr. Aashish Bhagat, learned counsel representing the complainant has not only endorsed the factum of compromise, but has also admitted that the entire settled amount stands paid. Learned counsel submitted that consequent upon the matter having been amicably resolved and the entire agreed amount having been received by the complainant, the complainant would not have any objection for quashing of the FIR in case any such petition is filed by the petitioners.
5. In view of the aforestated position, wherein the matter has been amicably resolved amongst the parties, both the petitions are accepted and the interim directions issued by this Court vide common order dated 25.7.2024 are hereby made absolute, subject to the condition that the petitioner(s) shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.
6. A photocopy of this order be placed on the file of connected case.

11.11.2024

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No