

2024:PHHC:053330

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

Date of decision : 18.04.2024

1. CRM-M-48332-2023

Aniket Verma Petitioner

versus

State of Punjab Respondent

CRM-M-48404-2023

Naveen Verma Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Kartik Gupta, Advocate
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Ram Pal Verma, Advocate for
Mr. Ashok Paul Batra, Advocate
for the complainant.

PANKAJ JAIN, J. (Oral)

1. While issuing notice of motion on 09.10.2023, following
order was passed:-

CRM-M-48332-2023

“It is submitted by learned counsel for the
petitioner that the petitioner is ready to return the
balance amount of Rs.25,00,000/- in two
installments. The first installment of Rs.10,00,000/-
will be paid to the complainant within a period of
one week and the balance amount of Rs.15,00,000/-

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will be paid in next one month.

Notice of motion for 17.10.2023.

On the asking of the Court, Mr. Sandeep, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State and Mr. Ashok Kumar Batra, Advocate, accepts notice on behalf of the complainant.

The petitioner may bring the demand draft for an amount of Rs.10,00,000/- in the name of the complainant on the next date of hearing.

In the meantime, arrest of the petitioner shall remain stayed, till the next date of hearing only.”

CRM-M-48404-2023

Notice of motion for 17.10.2023.

On the asking of the Court, Mr. Sandeep, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State and Mr. Ashok Kumar Batra, Advocate, accepts notice on behalf of the complainant.

In the meantime, arrest of the petitioner shall remain stayed, till the next date of hearing only.”

2. Again on 07.02.2024, following order was passed:-

“Counsel for the petitioner submits that the petitioner could not adhere to the timelines as undertaken in the order dated 9th of October, 2023 but shall definitely bring Rs.10.00 lacs in the shape of demand draft on 20th of February, 2024.

One last opportunity is granted subject to the petitioner complying with his undertaking.

Adjourned to 20.02.2024.

Interim order to continue.

A copy of this order be kept on the file of other connected case.”

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3. Thereafter, on 22.03.2024, following order was passed:-

“Complainant is present in person. He submits that the matter was settled for 24 lakhs. Out of which, the petitioner has paid back Rs.19.50 lakhs.

Counsel for the petitioner submits that the remaining Rs.4.50 lakhs will be paid on or before **18.04.2024**. The aforesaid statement made by counsel for the petitioner satisfies the complainant, who is present alongwith his counsel.

Adjourned to **18.04.2024**.

Interim order to continue.

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

4. Counsel for the complainant admits that the total payment of Rs.24 lakhs stands paid and now the matter stands settled.

5. In view of above, the interim order dated 09.10.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6. This order should not be treated as "blanket" order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency, to investigate into the charges against the petitioner.

8. The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act, 1872 in regard to a discovery of facts made in pursuance of information supplied by the petitioner in

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case the occasion arises.

9. It will be open to the police or the investigating agency to move this court for a direction under Section 439 (2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.
10. Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.
11. Disposed off accordingly.
12. A photocopy of this order be placed on the file of other connected case.

(PANKAJ JAIN)
JUDGE

18.04.2024

Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No