

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-14087 of 2015 (O&M)
Date of Decision: 04.08.2015

Harbans Lakhina & another

--Petitioners

Versus

State of Haryana

--Respondent

CORAM:-HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. L.S. Chahal, Advocate for the petitioners.

Mr. Satish Saini, D.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

Learned counsel appearing for the petitioners would contend that a compromise has since been effected between the parties in relation to a dispute which was essentially matrimonial in nature. Counsel further makes a categorical submission that even statements of the parties in support of the compromise have been duly recorded before the Trial Court.

Even learned State counsel, who is on instructions from S.I. Dharambir does not dispute the factum of a compromise having been arrived at. That apart, it would be apposite to take notice of a settlement/agreement having been facilitated under the aegis of Mediation & Conciliation Centre of this Court. Even the report of the Mediator Mr. Maharaj Kumar dated 26.5.2015 stands placed on record.

On 1.5.2015, this Court had issued notice of motion in the main petition and while granting ad interim protection as regards arrest, had passed the following order:-

“The instant petition has been filed under Section 438 Cr.P.C. seeking the concession of pre arrest bail to the petitioners in case FIR No.99 dated 28.03.2015, under Sections 498-A/406/323/506/34 and Sections 3/4 of Dowry Prohibition

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Act, registered at Police Station Civil Lines, Sonapat, District Sonapat.

Learned senior counsel has been heard at length.

Court has been apprised that the complainant is the daughter-in-law of the present petitioners. Petitioner No.1 is a employee of a State instrumentality and even petitioner No.2 is a government employee. A categoric statement has been made that petitioners are ready and willing to rehabilitate the complainant in the matrimonial home.

Notice of motion, returnable 12.05.2015.

In the meanwhile, petitioners are directed to join investigation and to appear before Investigating Officer. In the event of arrest, the petitioners shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioners shall join investigation as and when called upon to do so and they shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

In the light of the facts and circumstances noticed herein above and in view of the settlement having been arrived at, present petition is allowed. Order dated 1.5.2015, passed by this Court, is made absolute.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.08.2015
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