

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Crl.Misc.No.M-16127 of 2015(O&M)

Date of Decision : 03.08.2015

Samarjit Singh @ Bobby

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

Present : Mr.Munish Rai, Advocate for
Mr. S.S.Majithia, Advocate for the petitioner

Mr. P.J.S.Hundal, AAG, Punjab

Mr. N.S.Rapri, Advocate for respondent no.2.

MAHESH GROVER, J.

The petitioner prays for grant of pre-arrest bail in terms of Section 438 Cr.P.C in case FIR no. 86 dated 22.4.2015 registered under Sections 498-A, 406, 342, 377 IPC at Police Station City Sangrur, District Sangrur.

Dispute has arisen out of a marital discord and the parties have now resolved the issues before Mediation and Conciliation Centre of this Court. The settlement is on record pursuant to which separate proceedings under Section 482 Cr.P.C seeking quashing of the FIR have also been initiated. The terms of the settlement are extracted herebelow:-

“6. The following settlement has been arrived at between the parties hereto:-

a) That first party and the second party have already settled their disputes and they have decided that they

will continue stay together alongwith their two children namely Yuvrin Singh (daughter)aged about 12 years and Adesh Partap Singh (son) aged about 7- ½ years in the house owned and possessed by first party in House no. F-1/700, Gali No.3, Ward No. 27, Hargovind Nagar, Malout District Shri Muktsar Sahib where they were living presently or any place where both the parties decide to live.

b) That being head of the family, the first party shall bear all the expenses towards the household, towards the second party and towards the studies of the children and their marriages and all day-to-day expenses.

c) that whatever the liabilities of both the parties including their children shall be borne by the first party, being head of the family.

d) That the first party has also assured that he will give respect to the second party and will make all efforts to keep her happy.

e)The parties have further decided that everyone shall respect each other's dignity and all shall make endeavour for the betterment of the family and the other family members from both the sides.

f)That it is agreed between the parties that the second party – Maninder Kaur shall have no objection if the present CRM No.M-16127 of 2015 is allowed. She would have no objection if the FIR no. 86 dated 22.4.2015 u/s 498-A, 406, 342, 377 IPC, Police Station City Sangrur, District Sangrur

along with all consequential proceedings are quashed against the petitioner and his family members. The second party (Maninder Kaur) shall file the necessary affidavit/make statement before the Hon'ble Court in this regard as and when required.

7) With the execution of the present compromise, entire dispute between the parties shall stand settled. None of the parties shall institute any unwarranted litigation against each other.

8) This compromise has been reached between the parties without any pressure and both the parties have very happily agreed to abide by the terms and conditions of the settlement. Both the parties shall be bound with the terms and conditions of this settlement.

9) It has been further decided between the parties that in case of necessity, both the parties shall be free to present the copy of the above compromise before any authority or court if the same is required to witness the execution of the settlement or to settle any pending controversy between the parties.”

In view of above, present petition is allowed and interim directions dated 20.5.2015 are hereby made absolute, however subject to the condition that the petitioner continues to comply with the provisions of Section 438(2) Cr.P.C.

August, 03 2015
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(Mahesh Grover)
Judge