

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-17909-2015.

Decided on: December 14, 2015.

Sachin Ratti

.. Petitioner(s)

VERSUS

State of Punjab

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.Navkiran Singh, Advocate,
for the petitioner.**

Ms.Harpreet Kaur Athwal, DAG., Punjab.

**Mr.Viney Puri, Advocate,
for the complainant.**

M.M.S. BEDI, J. (ORAL)

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of his wife Jyoti alleging that she was married to the petitioner on 12.11.2009. There are allegations of torture and maltreatment, physical assault and harassment by the petitioner and his family members. There are also allegations of demand of dowry and Car.

An attempt was made for bringing about reconciliation. It ultimately transpired that the parties cannot resume cohabitation. The Court was converted to Lok Adalat on 8.12.2015.

The parties through their counsel have today submitted that marriage having been broken beyond repair, a divorce petition with mutual consent would be filed by 15.1.2016. A sum of Rs.7 lacs will be paid by 14.1.2016. Another sum of Rs.8 lacs will be paid to the complainant prior to the finalisation of proceedings under Section 13-B of the Hindu Marriage Act. A sum of Rs.3 lacs in the

shape of Banker's Cheque in the name of complainant has been paid in the Court today. Remaining Rs.4 lacs would be paid prior to the filing of the petition under Section 13-B of the Hindu Marriage Act.

On receipt of remaining sum of Rs.8 lacs, the parties would file a petition for quashing on the basis of compromise.

In view of said circumstances, this petition is allowed, at this stage. It is ordered that in case of arrest of the petitioner, he shall be released on bail to the satisfaction of the arresting officer subject to the following conditions: -

i) That the petitioner will pay a sum of Rs.12 lacs as lump sum alimony to the complainant which would include the costs of the gold articles. A sum of Rs.4 lacs will be paid before filing of the petition under Section 13-B of the Hindu Marriage Act i.e., by 14.1.2016. Remaining amount of Rs.8 lacs will be paid prior to the final disposal of the petition under Section 13-B of the Hindu Marriage Act.

ii) That the petitioner will join investigation as and when required till the parties file a petition on the basis of amicable settlement in compliance of terms of the compromise and

iii) That the petitioner will not leave India without the permission of the Court.

It is made clear that in case of non-compliance of any of above said terms, it will be open to the complainant to approach this Court to seek cancellation of this order.

(M.M.S. BEDI)
JUDGE

December 14, 2015.
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