

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-1832 of 2015 (O&M)

Date of Decision: 11.5.2015

Gagandeep

--Petitioner

Versus

State of Punjab & another

--Respondents

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

Present:- Mr. J.P. Singh, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

Ms. Pooja Chopra, Advocate for respondent no.2.

TEJINDER SINGH DHINDSA.J

The instant petition has been filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case F.I.R. No.190 dated 3.12.2014 under Sections 406, 498-A I.P.C registered at Police Station, Ghal Khurd, District Ferozepur.

Complainant is the wife of the present petitioner.

This Court while issuing notice of motion on 19.1.2015 had passed the following order:-

“Petitioner seeks concession of pre-arrest bail in a case registered at the instance of his wife Vishali Arora alleging that she was married to the petitioner on 8.12.2013. She had been treated with cruelty and was thrown out of the matrimonial home.

Prima facie, there does not appear to be any ground to grant the concession of pre-arrest bail. However, in order to enable the petitioner and the complainant to resolve the matrimonial dispute amicably, I deem it appropriate to refer the matter to the Mediation and Conciliation Centre of Punjab and Haryana High Court.

Notice of motion to the Advocate General, Punjab,

CRM No. M-1832 of 2015 (O&M) -2-
for 2.3.2015

Meanwhile, an interim direction is issued that the petitioner will join investigation on 24.1.2015. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer. Thereafter, the petitioner will appear before the Mediation and Conciliation Centre of Punjab and Haryana High Court on 6.2.2015. Notice be also issued to complainant Vishali Arora daughter of Jagroop Kumar, resident of Ward No.11, Near Morni Wala Gurudwara, Talwandi Bhai, Tehsil and District Ferozepur, who is impleaded as respondent No.2, to appear before the Mediation and Conciliation Centre of Punjab and Haryana High Court on said date.

Notice has been accepted by Ms.Puja Chopra, Advocate, on behalf of complainant-respondent No.2.

The petitioner will pay a sum of `25,000/- to the complainant on said date before the Mediator in order to enable her to meet the travelling, misc. and litigation expenses.

For awaiting the report of Mediation Centre and for arguments, to come up on the date fixed.”

Subsequently, on 2.3.2015 counsel for the petitioner as also for the complainant/respondent no.2 had made a joint statement that a compromise between the parties was in the process of being arrived at and accordingly, parties were yet again referred to the Mediation & Conciliation Centre of this Court.

Learned counsel for the parties are *ad idem* that a settlement has been arrived at between the husband and wife. Placed on record is the settlement/agreement dated 24.4.2015 in the light of a report of the Mediator Mr. P.S. Gill.

In the light of the settlement having been arrived at, the present petition is allowed. Order dated 19.1.2015, passed by this Court is made

absolute.

It is, however, made clear that the parties would remain bound by the terms and conditions contained in the settlement/agreement dated 24.4.2015.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.05.2015
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