

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

CRM-M No. 21004 of 2015 (O&M)

Date of Decision : 20.08.2015

GAGANDEEP

.....PETITIONER

VERSUS

STATE OF PUNJAB

..... RESPONDENT

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr.Sandeep Arora, Advocate for the petitioner.

Ms.Amarjit Kaur Khurana, Addl.AG, Punjab

- i. Whether Reporters of local papers may be allowed to see the judgment?
- ii. To be referred to the Reporters or not?
- iii. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This is a petition for anticipatory bail.

On 02.07.2015 the following order was passed:-

“ Instant petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 22, dated 22.04.2015, under Sections 406, 498-A IPC, registered at Police Station Women Cell, Jalandhar.

Learned counsel for the petitioner states that this is a matrimonial dispute and there is possibility of settlement between the parties. Learned counsel for the petitioner states that in view of judgment of Hon'ble Supreme Court in *K.Srinivas Rao vs. D.A. Deepu, 2013(2)R.C.R. (Criminal) 217*, arrest be not made till some investigation as to the genuineness of the allegation is carried out.

On the oral request of learned counsel for the petitioner, Kamini daughter of Sh. Om Parkash, wife of Gagandeep, resident of H.No.401, New Deol Nagar, Jalandhar is impleaded as respondent no.2 in this petition.

Notice of motion to the Advocate General, Punjab and newly added respondent no.2, for 20.08.2015, subject to deposit of Rs.25,000/-within a week before the Registry of this

Court, to be paid to respondent No.2 as litigation expenses.

Without going into the merit of the case and for the limited purpose of exploring the possibility of settlement, as an interim measure, it is directed that the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall, however, join investigation as and when called for and he will also abide by the conditions as specified under Section 438(2) Cr.P.C.”

A perusal of the above order shows that on 02.07.2015 the interim bail was granted to the petitioner for the limited purpose of affecting a settlement with his wife. As per report notice could not be issued since the deposit of Rs. 25,000/- was not made,. Learned counsel for the petitioner states that compromise has been effected, the dispute has been settled and a petition for quashing of FIR on the basis of compromise bearing CRM-M No. 24153 of 2015 has also been filed, however, the same could not be listed. He states that the complainant is present in the Court. Learned Addl.AG, on instructions from SI Kailash Kaur, has accepted the fact that the complainant is present in Court and that the matter has been settled between the parties.

In the circumstances the order dated 02.07.2015 is made absolute.

Petition stands disposed of.

Since the main case has been decided, the Criminal Misc.Application, if any also stands disposed of.

**(AJAY TEWARI)
JUDGE**

August 20, 2015
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