

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

202

CRM-M-26430 of 2014

Decided on : 22.04.2015

Kulwant Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR.JUSTICE HARI PAL VERMA

Present : Mr.Ashwani Bakshi, Advocate
for the petitioner.
Mr.Gurinderjit Singh, DAG, Punjab.
Mr.Parvez Chugh, Advocate
for the complainant.

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Hari Pal Verma, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.195, dated 10.07.2014, under Sections 498-A, 34 IPC, registered at Police Station City, Ferozepur.

The said FIR was lodged by the complainant, Beant Kaur, who happens to be the daughter-in-law of Kulwant Kaur, the present petitioner. On August 6, 2014, this Court has granted interim bail to the petitioner on the terms and conditions as envisaged under Section 438(2) of the Code of Criminal Procedure.

Since the present dispute has arisen in matrimonial matter, the complainant has shown her desire to go with her husband in case mother-in-law is present along with the husband and remove

the differences, if any. Accordingly, vide order dated April 7, 2015, this Court has passed the following orders:-

“On the last date of hearing i.e. 26.2.2015 none was present on behalf of complainant. Today, learned counsel appearing for the complainant prays for an adjournment and submits that since the daughter of the complainant is not well, therefore, the complainant is not present today.

On his request, adjourned to 22.4.2014.

On the next date of hearing, the husband and complainant along with her daughter shall remain present in the Court.

Interim order to continue.”

Pursuant to order dated April 07, 2015, the parties are present in person and they are identified by their respective counsel.

During the course of the proceedings, both the parties have shown their inclination to settle the dispute amicably and the complainant has further shown her intention to go with her husband along with her daughter from the court premises itself. In order to show their bona fide, parties have also filed a compromise deed dated 22.04.2015 which reads as under:-

1. That on the complaint of Beant Kaur (first party), FIR No.195 dated 10.07.2014 under Sections 498-A, 34 IPC was registered at Police Station City Ferozepur against the second party.
2. That now parties have amicably settled the matter and the husband and wife have decided for the restitution of their conjugal rights and in view of the same, the complainant (wife-first party) is ready and willing to go back to her matrimonial home at village Machhiwara, Tehsil and District Ferozepur today from the High Court itself along with her minor daughter, who is also present in the Hon'ble High Court today i.e. 22.04.2015.
3. That the parties have further decided to get the instant FIR quashed on the basis of compromise and the second party shall prefer separate petition for that and the first party Beant Kaur who is the complainant undertakes to make statement before the competent court in order to get the same quashed.

4. That the first party further undertakes that she shall withdraw and no pursue any complaint or litigation arising out of the said marriage.
5. That both the parties will keep peaceful and harmonious relations with each other in future.”

Considering the fact that complainant and husband have shown their intention to stay together and have submitted a compromise deed dated 22.04.2015, the order dated August 06, 2014 passed by this court is made absolute subject to compliance of Section 438(2) Cr.P.C.

In view of the above compromise, present petition is disposed of.

[Hari Pal Verma]
Judge

22.04.2015
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