

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-31388 of 2014 (O&M)
Date of Decision: 11.5.2015

Damanbir Singh

--Petitioner

Versus

State of Punjab & another

--Respondents

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

Present:- Mr. T.P.S. Bhatti, Advocate for the petitioner.

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

Mr. Sandeep Sharma, Advocate for
Mr. Veneet Sharma, 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.202 dated 17.7.2014 under Sections 406, 498-A I.P.C., registered at Police Station, Cantonment Amritsar City, District Amritsar.

Complainant is the wife of the present petitioner.

This Court while issuing notice of motion on 11.9.2014 had passed the following order:-

“Learned counsel for the petitioner submits that there was a compromise between the parties and an amount of Rs.5,50,000/- was paid to complainant-wife as permanent alimony vide bank draft dated 26.08.2014 and the same was accepted by her. Complainant has also executed one affidavit on 29.08.2014 before the Executing Magistrate in this regard. Learned counsel also submits that the petitioner is ready to join investigation and to abide by all terms and conditions to be imposed by this Court.

Notice of motion for 14.10.2014.

Meanwhile, in the event of arrest, the petitioner

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shall be released on interim bail to the satisfaction of the Investigating Officer. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i)that the petitioner shall make himself available for interrogation before investigating officer as and when required;

(ii)that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

(iii)that the petitioner shall not leave India without the prior permission of the Court.”

Thereafter on 14.10.2014, this Court had directed the parties to appear before the Mediation & Conciliation Centre of this Court.

Learned counsel for the parties state in unison that a settlement/agreement has been arrived at between the parties before the Mediation & Conciliation Centre. Such settlement dated 28.1.2015 in the light of report of Ms. Sonia Sharma, Mediator has also been placed on record.

In the light of the settlement having been arrived at, the present petition is allowed. Order dated 11.9.2014, 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 28.1.2015.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.05.2015
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