

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-9693-2015 (O&M)

Date of decision:18.05.2015

Amrit Preet Singh

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr.H.P.S.Ghuman, Advocate for the petitioner.

Ms.Anmol Grewal, AAG, Punjab.

Ms.Swati Batra, Advocate for respondent No.2.

RAMESHWAR SINGH MALIK, J. (Oral)

CRM-16499-2015

Applicant seeks exemption from filing the certified copy of complaint (Annexure P-12).

Application is allowed, as prayed for.

CRM stands disposed of.

Main case

Petitioner seeks pre-arrest bail in FIR No.73 dated 13.5.2014 registered under Sections 406 and 498-A of the Indian Penal Code at Police Station Bhawanigarh, District Sangrur.

Notice of motion was issued and interim protection was granted.

Learned counsel for the petitioner refers to Annexure P-12, to contend, that it was reported to the police on behalf of the petitioner that the respondent-wife has taken all the dowry articles with her, while leaving her

matrimonial home, particularly the gold articles. He further submits that petitioner has already joined the investigation and he is no more required for the purpose of any further investigation. He also submits that so far as the efforts for amicable settlement between the parties are concerned, the petitioner is still ready and willing to settle the matter amicably, on any reasonable terms and conditions.

On the other hand, learned counsel for the State, on instructions from ASI Kashmir Singh, Bhawagarh, submits that though the petitioner has joined the investigation but all the dowry articles have not been got recovered by him so far. The investigating agency itself will make efforts to help the parties to arrive at an amicable settlement.

Learned counsel for the complainant, on instructions from the complainant, who is present in the Court, submits that in spite of the fact that petition under Section 125 Cr.P.C. has been moved by respondent No.2 along with her son for maintenance, yet nothing has been paid to them so far. They have been left at the mercy of her parents. Petitioner is not discharging his moral as well as legal obligation, while ignoring his wife as well as his son. She prays for dismissal of the present petition.

Having heard the learned counsel for the parties at considerable length, after careful perusal of record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that leaving the scope of an amicable settlement between the parties open, petitioner is directed to pay an amount of Rs.3 lacs by way of a bank draft in the name of his wife-respondent No.2-Khushdeep Kaur within a period of three weeks from today, as an interim measure. The above-said

amount will be adjusted towards final payment of maintenance or will be taken into consideration even if the parties come to an amicable settlement.

With the above-said observations made, the order dated 9.4.2015 passed by this Court is hereby made absolute, however, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

Disposed of, accordingly.

18.05.2015
mks

(RAMESHWAR SINGH MALIK)
JUDGE