

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22733-2015 (O&M)

Date of Decision:- 25.07.2016

Rajinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: None for the petitioner.

Mr. A.P.S. Gill, Assistant Advocate General, Punjab.

None for respondent No.2.

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner, in a case arising out of FIR No.78 dated 11.05.2015 (Annexure P-1), registered at Police Station City Kharar, SAS Nagar, Mohali, who has been booked for having committed the offences punishable under Sections 406 and 498-A IPC.

The allegations levelled by the complainant against the petitioner are that after marriage, the petitioner had started maltreating her on account of not bringing furniture. He used to leave the house in night hours and to beat her.

After registration of the FIR, the bail application filed by the petitioner before the Court of Additional Sessions Judge, SAS Nagar, Mohali, was rejected, vide order dated 04.06.2015 (Annexure P-4).

Vide order dated 22.07.2015 the arrest of the petitioner had been stayed. Thereafter, the complainant was impleaded as respondent No.2 by means of order dated 05.08.2015 and Mr. H.S. Saini, Advocate, has put in appearance on behalf of respondent No.2. Further, the matter was referred to the Mediation and Conciliation Centre of this Court to explore the possibility of settlement of the dispute, vide order dated 05.10.2015.

As per report dated 08.01.2016, parties have settled their disputes by way of amicable settlement. The conditions of settlement is as under: -

- “(i) The parties have mutually agreed to resolve all the issues/disputes between them and have decided to resume cohabitation.
- (ii) In view of the parties having settled the dispute, it has been resolved that the first party would file a petition for quashing of the FIR in question before the Hon'ble High Court within 10 days from today i.e. 08.01.2016 and the second party undertakes to do everything for quashing of FIR.
- (iii) The second party also undertakes to withdraw the petition under Section 125 Cr.P.C. pending before the JMJC, Kharar/Civil Judge, Kharar on the next date of hearing fixed in the case.
- (iv) The first party has agreed that she will provide full co-operation to the second party to have congenial matrimonial relations.
- (v) Both the parties have further agreed that they will bring harmony in the family.
- (vi) It has also been resolved that both the parties will not initiate unnecessary litigation against each other or will not use any document in their possession as evidence against each other before any Court of Law or Authority.”

Keeping in view the above-settlement arrived between the parties, order dated 22.07.2015 passed by this Court whereby the arrest of

the petitioner was stayed is hereby made absolute. The petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions as envisaged under Section 438 (2) Cr.P.C.

Accordingly, the petition stands disposed of.

July 25, 2016
naresh.k

(RITU BAHRI)
JUDGE