

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**CRM No. M-32558 of 2015 (O&M)**

**Date of Decision : 21.01.2016**

*Sudershan Sachdeva*

*....Petitioner*

Vs.

*U.T. Chandigarh*

*....Respondent*

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

Present: Mr. Nakul Sharma, Advocate for the petitioner.  
Mr. J.S. Toor, APP for U.T. Chandigarh.

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**TEJINDER SINGH DHINDSA.J.**

Petitioner seeks concession of pre-arrest bail in case F.I.R. No.6 dated 10.09.2015, under Sections 406/498-A IPC, registered at Police Station Women Cell, Sector 17, Chandigarh.

While issuing notice of motion on 23.09.2015, the following order was passed by this Court:

*“The learned counsel refers to Annexure P-1 and states that the complainant is suffering from various ailment and the petitioner had been getting her treated. The complainant voluntarily left the matrimonial home. He further refers to Annexure P-4, the counselling before the woman cell, wherein she stated that she wanted to divorce the petitioner, whereas, the petitioner is still ready and willing to stay with the complainant and to show his bonafide, he has also filed petition under Section 9 of the Hindu Marriage Act.*

*Notice of motion for 02.10.2015.*

*Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-*

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he 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 and;*

*3. That he shall not leave India without previous permission of the Court.”*

Subsequently, vide order dated 05.10.2015 passed by this Court, the parties have been referred to Mediation and Conciliation Centre of this Court to thrash out the possibility of an amicable settlement.

Placed on record is the report of the Mediator Mr. Atul Nehra, Advocate and as per which matrimonial dispute between the parties has been settled. Alongwith the report of the Mediator, a copy of the settlement/agreement has also been appended. The terms and conditions of the agreement have been specifically mentioned therein. In terms of the same, the parties have agreed to withdraw all the proceedings initiated against each other before different forums. It has also been agreed that the present petitioner/accused would file a quashing petition under Section 482 Cr.P.C. seeking quashing of the F.I.R. in question on the basis of settlement and such proceedings would not be opposed by the complainant, namely, Babita. As per settlement, both the parties have now decided to live together peacefully.

In view of the above, the present petition is allowed. Order dated 23.09.2015 passed by this Court is made absolute.

It is, however, made clear that in case the terms and conditions of the settlement are deviated from, it would be open for the complainant to approach this Court seeking cancellation of the concession granted.

Disposed of.

**January 21, 2016.**

*harjeet*

**(TEJINDER SINGH DHINDSA)  
JUDGE**