

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

**CRM No.M-43885 of 2015 (O&M)
Date of Decision: 17.05.2016**

Rachhpal Singh

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.
Mr. D.S. Virk, AAG, Punjab.
....

TEJINDER SINGH DHINDSA.J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.55 dated 03.10.2015, under Sections 326/324/323/452/342/506/34 IPC, registered at Police Station Ghanie Ke Bangar, Police District Batala, District Gurdaspur.

Briefly noticed, FIR came to be registered at the instance of Harpreet Kaur. Complainant is stated to have lost her husband in the year 2009. Accused/present petitioner is her brother-in-law. Perusal of the FIR would reveal that the genesis of the dispute is with regard to possession of the house where she was staying. In the occurrence the allegation is with regard to the present petitioner having inflicted a *datar* blow on the shin of the left leg of the complainant attracting offence under Section 326 IPC.

It was the contention raised by counsel appearing for the petitioner at the stage of preliminary hearing of this petition that a compromise has been entered into between the parties who are close relatives. After recording such contention, arrest of the petitioner was stayed vide order dated 18.01.2016 passed by this Court.

During the course of hearing today, Harpreet Kaur complainant has come present and is identified by ASI Rashpal Singh i.e. Investigating Officer in the case.

It has gone uncontroverted that in pursuance to the settlement having been arrived at, complainant has already received a sum of Rs.5 lacs from the petitioner. Complainant is stated to have vacated the premises in question. Towards complying with the settlement in entirety, the remaining balance amount of Rs.3.5 lacs in cash has been made over to the complainant in Court today.

In view of such circumstances, prayer made in the instant petition is accepted.

Order dated 18.01.2016 passed in favour of the petitioner in relation to FIR No.55 dated 03.10.2015, under Sections 326/324/323/452/342/506/34 IPC, registered at Police Station Batala, District Gurdaspur is made absolute.

Disposed of.

17.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**