

Criminal Misc. No. M- 20341 of 2017 (O&M)

Date of decision : April 18, 2018

Raman Kumar

.....Petitioner

Versus

State of Punjab

....Respondent

Criminal Misc. No. M- 16935 of 2017 (O&M)

Sofia and another

.....Petitioners

Versus

State of Punjab

....Respondent

Criminal Misc. No. M- 12360 of 2017 (O&M)

Raj Kumar

.....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. M.S. Basra, Advocate for the petitioners.

Ms. Seena Mand, DAG, Punjab.

Mr. N.S. Vadhera, Advocate for respondent No. 2.

LISA GILL, J.

This order shall decide three petitions i.e. Criminal Misc. No. M- 20341, 16935 and 12360 of 2017

Petitioner - Raman Kumar (in CRM-M-20341-2017) is the husband, petitioner - Raj Kumar (in CRM-M-12360-2017) is the father-in-law and petitioners – Sofia and Aman Kumar (in CRM-M-16935-2017) are the mother-in-law and brother-in-law, respectively of the complainant/respondent No.2.

Prayer in these petitions is for grant of anticipatory bail to the petitioners in FIR No. 108 dated 08.09.2016 under Sections 376, 498A, 120B IPC registered at Police Station Dhariwal, District Gurdaspur.

Learned counsel for the petitioners and the complainant submit that during the pendency of these petitions, the matter has been amicably resolved between the parties. Petitioner – Raman Kumar, husband of the complainant has agreed to accept the ex-parte divorce granted in favour of the complainant. It is further informed by learned counsel for the petitioners that a sum of ₹6.5 lakhs has been decided to be handed over to the complainant as full and final settlement of all her claims – past, present and future qua alimony, maintenance etc. A sum of ₹3 lakhs has already been handed over to her and the rest of the settled amount shall be handed over to her at the time of recording of the statements of the parties in the proceedings to be initiated by them for quashing of the FIR in question. The said petition for quashing, it is further submitted, shall be moved within the next four weeks.

Learned counsel for the complainant submits that his client has no objection, in case, these petitions are allowed subject to the petitioners strictly adhering to the terms and conditions of the settlement.

Learned counsel for the State, on instructions from ASI Rajwinder Singh, verifies that the petitioners have joined investigation.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow these petitions. Consequently, orders dated 01.06.2017 (in CRM-M-20341-2017), dated 18.05.2017 (in CRM-M-16935-2017) and 24.04.2017 (in CRM-M-12360-2017) are made absolute.

However, liberty is afforded to respondent No.2 to move an appropriate application in these matters, in case, the terms and conditions of settlement between the parties are not adhered to by the petitioners.

April 18, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No