

Criminal Misc. M- No. 23886 of 2017 (O&M)

Date of decision : July 26, 2017

Nitin

.....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. N.C. Kinra, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

Ms. Vandana, Advocate for respondent No. 2.

LISA GILL, J.

The petitioner prays for concession of anticipatory bail in FIR No. 210 dated 17.05.2017 registered under Sections 498A, 406, 506, 323/34 at Police Station Sanjay Gandhi Memorial Nagar, Faridabad.

It is submitted that the matter has been amicably resolved between the petitioner and the complainant – respondent No. 2 yesterday itself i.e. 25.07.2017.

Settlement dated 25.07.2017 detailing the terms and conditions thereof filed in Court today, is taken on record subject to just exceptions. It is submitted that in terms of the said settlement, a sum of ₹9 lakhs by way of demand draft has been handed over to respondent No. 2. A petition under Section 13B of Hindu Marriage Act, 1955 (for short – 'the Act') shall be filed by the parties. The remaining amount of ₹2 lakhs shall be handed over

by the petitioner to respondent No. 2 at the time of recording of statements of the parties at second motion in the petition under Section 13B of the Act.

Learned counsel for respondent No. 2 affirms and verifies the factum of settlement between the parties. It is submitted that in view of the said settlement, respondent No. 2 has no objection if this petition is allowed subject to strict adherence to the terms and conditions of the agreement by the petitioner.

Keeping in view the facts and circumstances noted above especially the settlement arrived at between the parties, it is considered just and expedient to allow this petition.

In the event of his arrest, petitioner be released on bail to the satisfaction of Investigating Officer. He shall join investigation as may be required. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

Liberty is afforded to respondent No. 2 to move an appropriate application in case the terms and conditions of the settlement are not adhered to by the petitioner.

July 26, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No