

Criminal Misc. No.M- 27624 of 2017 (O&M)

Date of decision : September 21, 2017

Paramjit Kaur and another

.....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Devinder Bir Singh, DAG, Punjab.

Mr. Vikram Anand, Advocate
for respondent No. 2.

LISA GILL, J.

The petitioners, who are the parents-in-law of the complainant, pray for concession of anticipatory bail in FIR No. 93 dated 07.07.2017 under Sections 498A, 406, 34 IPC registered at Police Station Sadar, District Kapurthala.

It is submitted that the matter has been amicably settled before the Mediation and Conciliation Centre of this Court on 20.09.2017. The terms and conditions of the settlement dated 20.09.2017 are attached with this file. It is informed that the petitioner's son and respondent No. 2 have decided to part ways. A petition under Section 13B of Hindu Marriage Act, 1955 shall be filed by them on or before 13.10.2017. A sum of ₹1,75,000/- has already been handed over to respondent No. 2 on 20.09.2017 at the time of settlement between the parties. The balance amount is to be handed over to her at the time of recording of her statement at second motion in the petition under Section 13B of Hindu Marriage Act, 1955.

Learned counsel for respondent No. 2 while affirming the factum of settlement between the parties states that his client has no objection in case this petition is allowed, subject to strict adherence by the petitioners' son to the terms and conditions of the settlement dated 20.09.2017.

Learned counsel for the State, on instructions from ASI Jatinder Pal 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 this petition. Consequently, order dated 31.07.2017 is made absolute.

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

September 21, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No