

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

CRM-M-29516-2016

Date of decision: 28.07.2017

Surinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. H.S. Bhullar, Advocate,
for the petitioner.

Mr. Abhey Pal Singh Gill, Asstt. A.G., Punjab.

Mr. Deepak Aggarwal, Advocate,
for respondent No.2-complainant.

JAISHREE THAKUR, J. (ORAL)

The instant petition under Section 438 Cr.P.C. has been filed by the petitioner for grant of anticipatory bail in case FIR No. 82 dated 30.07.2016 under Sections 498-A, 406, 323, 120-B IPC, registered at Police Station Jaitu, District Faridkot.

This Court was pleased to pass the following order on 26.08.2016 :-

“Learned counsel inter alia contends that the petitioner solemnized marriage with the complainant in the year 2011 and the complainant left the matrimonial home on 11.07.2016 and no child was born out of this wedlock. After registration of the F.I.R, dowry articles have been recovered from the petitioner, as per list (P-3). Further the complainant also has her own locker in the commercialized bank and she always used to keep her gold ornaments and other valuable articles in the locker and thus all her jewellery articles are in her locker since her marriage. There is no MLR with regard to the injuries.

On oral request of the petitioner, complainant-Paramjit Kaur

resident of village Dbdhrikhana, Tehsil Jaito, District Faridkot is impleaded as party.

Subject to deposit of Rs.25,000/- before the Registry of this Court towards litigation expenses, notice be issued to the respondents, returnable by 05.10.2016.

Meanwhile, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions mentioned below, as envisaged in Section 438(2) Cr.P.C :-

- i. a condition that the person shall make himself available for interrogation by Police Officer as and when required;*
- ii. a condition that the person 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;*
- iii. a condition that the person shall not leave India without the previous permission of the Court*
- iv. such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section.”*

Learned counsel for the parties submit that a compromise has been arrived at between the parties and in terms of the compromise a sum of Rs. 20 lacs was to be paid to the complainant.

Learned counsel for the petitioner submits that the said amount has been deposited with the Registry on 03.07.2017.

Learned counsel for the complainant, who is present in Court, also agrees to the factum of the compromise and submits that all cases initiated by her will be withdrawn.

Let the divorce petition be filed within a period of two weeks.

Since the parties have compromised the dispute, the petition is allowed and interim order dated 26.08.2016 is hereby made absolute subject to the condition that the petitioner will join the investigation as and when

required by the police and will not tamper with evidence or hamper the investigation and will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

28.07.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes.
No.