

Criminal Misc. M- No. 34445 of 2016 (O&M)

Date of decision : July 25, 2017

Deepak Pandey

.....Petitioner

Versus

State of Haryana and another

....Respondents

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

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 707 dated 23.08.2016 registered under Sections 498A, 323, 406, 506, 377 IPC at Police Station Ballabgarh City, District Faridabad.

On 23.05.2017, the following order was passed by this Court:-

“ The petitioner as well as respondent No. 2, duly identified by their counsel, are present in Court.

It is submitted that the matter has been amicably resolved between the parties. It is agreed that the entire rights of Apartment No. 503, 5th Floor, Ansal Royal Heritage, Sector-70, Faridabad held by the petitioner shall be transferred by him in the name of respondent No. 2. Respondent No.2 is the joint purchaser of this property to the extent of 50 per cent. The petitioner shall transfer all his rights in favour of respondent No. 2. Furthermore, a sum of ₹ 5 lakhs shall be placed in a fixed deposit in favour of their minor child with respondent No. 2 as the guardian. It is further agreed that this amount shall not be withdrawn or encashed by respondent No. 2. The amount shall be released to the minor child on her attaining majority.

Respondent No. 2 shall be entitled to use the interest thereon for the upbringing of the child. The parties have decided to separate and file a petition under Section 13- B of the Hindu Marriage Act. It is further agreed that all/any proceedings initiated by them against each other shall be withdrawn/settled.

Learned counsel for the parties pray for time to place on record the written terms and conditions of the settlement.

On request, adjourned to 25.07.2017.”

Compromise deed dated 25.07.2017 containing the details of the terms and conditions of the settlement between the parties produced in Court today is taken on record subject to just exceptions.

Learned counsel for respondent No. 2 submits that she has no objection if this petition is allowed provided the petitioner strictly adheres to the terms and conditions of the compromise.

Learned counsel for the State, on instructions from ASI Shri Ram, verifies that the petitioner has joined investigation.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is 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, especially the settlement arrived at between the parties, but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 27.09.2016 is made absolute.

July 25, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No