

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

Crl. Misc. M-38349 of 2014 (O&M)
Date of Decision: September 28, 2017

Shantanu Gaur

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ishan Kaushal, Advocate for
Mr. K.S. Khehar, Advocate
for the petitioner.

Mr. P.P.Chahar, DAG Haryana.

Mr. Gautam Dutt, Advocate
for respondent No.2.

Petitioner and respondent No.2-complainant in person.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.544 dated 20.09.2014, under Sections 498-A, 406, 323, 34 of the Indian Penal Code, registered at Police Station Sector 7 Faridabad, District Faridabad.

During the pendency of the instant petition, an effort has been made to get the parties to resolve their disputes amicably. The arrest of the petitioner was stayed by an order dated 12.11.2014. The parties were referred to Mediation Cell, however, the parties were not able to settle the disputes and the matter was referred back to this Court.

Thereafter, another effort was made to get a settlement between the parties, which eventually was fruitful, resulting in a Memorandum of Settlement dated 27.09.2017 being arrived at between the parties.

At this stage, respondent No.2-complainant, who is present in person suggests only a slight modification to the extent that FD, which is to be drawn up for a sum of Rs.15 lacs in the name of the minor, should also reflect her name as a nominee therein, since the custody of the minor is being handed over to her and she is the person, who is going to look after her minor son henceforth.

The said slight modification is not disputed by the petitioner.

Therefore, it is hereby directed that when the FD is being drawn up in the name of the minor child, the name of the mother be added therein as a nominee.

In view of the fact that a settlement has been arrived at between the parties and they are bound to adhere to the same, the petition is allowed and order dated 12.11.2014 granting interim bail to the petitioners is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

September 28, 2017
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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No