

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

CRM-M-39890-2016 (O&M)
Date of decision : 20.11.2017

Dalbara Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sudhir Sharma, Advocate,
for the petitioners.

Ms. Anju Arora, Addl.A.G., Punjab,
assisted by ASI Jaswant Singh.

Mr. HPS Sandhu, Advocate,
for respondent No.2.

JITENDRA CHAUHAN, J. (Oral)

The petitioners seek pre-arrest bail in FIR No.17 dated 27.09.2016, registered under Sections 498 and 406 read with Section 34 of the Indian Penal Code at Women Police Station, Jagraon, Ludhiana.

Heard.

On 09.11.2016, the following order was passed:-

“Counsel for the petitioners contends that the complainant has been residing in her parental home since June, 2010 on return from Philippines and the instant petition is nothing but a counter blast to the petition filed by Manpreet Singh under Section 13 of the Hindu Marriage Act for dissolution of marriage on the grounds of desertion and adultery. Counsel for the petitioners also contends that custodial interrogation would not be required and they shall

join the investigation.

Notice of motion for 20.01.2017.

Meanwhile, in the event of arrest, the petitioners be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

In pursuance of order dated 27.10.2017, a demand draft amounting to Rupees seven lakh towards second instalment is handed over by learned counsel for the petitioners to learned counsel for the complainant, who has further handed over the same to complainant-respondent No.2, present in person. It is further stated that a joint petition under Section 13-B of the Hindu Marriage Act has also been filed on 17.11.2017, before the competent Court in terms of order dated 27.10.2017. A copy each of the demand draft as well as the joint petition are taken on record as Marks 'A' and 'B'. Learned counsel for the petitioners reiterates that the petitioners shall honour the terms and conditions of the agreement reached.

Learned State counsel, on instructions, submits that in view of the compromise reached between the parties, she has no objection, in case, the prayer made in the instant petition is accepted.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 09.11.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate

concerned.

The petition stands allowed.

20.11.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No