

Criminal Misc. No. M- 7152 of 2016 (O&M)

Date of decision : November 24, 2017

Mithun

.....Petitioner

Versus

Union Territory, Chandigarh and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. R.K. Bamal, Advocate
for the petitioner.

Mr. G.S. Chahal, APP, UT, Chandigarh.

Mr. Ajay Singla, Advocate
for respondent No. 2.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 19 dated 03.02.2016 under Sections 406/498A IPC registered at Women Police Station, Chandigarh.

It is informed during the pendency of this petition, the matter has been amicably resolved between the parties before the Mediation and Conciliation Centre of this Court. Settlement/agreement dated 23.08.2017 was taken on record on 23.08.2017. It is informed that petition under Section 13B of Hindu Marriage Act, 1955 has been filed. Part of the settled amount has been handed over to respondent No. 2. The petitioner, it is stated, undertakes to abide by the terms and conditions of the settlement.

Learned counsel for respondent No. 2 verifies and affirms the above said factual position and submits that respondent No. 2 has no objection if this petition is allowed, subject to the petitioner strictly adhering

to the terms and conditions of the settlement. It is, thus, prayed that this petition be allowed.

Learned counsel for the Union Territory, Chandigarh verifies that the petitioner has since joined investigation. He is not involved in any other criminal case.

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 but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 27.02.2016 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 petitioner.

(Lisa Gill)
Judge

November 24, 2017
rts

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No