

Criminal Misc. No. M- 20200 of 2016 (O&M)

Date of decision : April 06, 2018

Sarabjit Singh

.....Petitioner

Versus

U.T. Administration and others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Viney Puri, Advocate for the petitioner.

Ms. Ashima Mor, APP, UT, Chandigarh.

Mr. D.S. Nigha, Advocate
for Smt. Kuldeep Kaur – mother of the complainant.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 43 dated 04.05.2016 under Section 406/498A IPC registered at Police Station Women, Sector 17, Chandigarh.

It is submitted that the FIR in question was registered due to temperamental differences and the fact that the petitioner suffered a heart attack at the age of 35. The complainant left the petitioner's company out of her own accord and refused to cohabit with the petitioner. The present FIR was registered.

It is further submitted that the complainant unfortunately passed away on 09.02.2017. The parties had earlier been referred to the Mediation and Conciliation Centre of this Court in October, 2016. The matter has now been compromised by the petitioner with his mother-in-law i.e. the mother of the complainant. Demand draft dated 05.04.2018 for a sum of ₹2 lakhs in favour of Kuldeep Kaur wife of Manjit Singh i.e. the petitioner's mother-in-law has been handed over to Kuldeep Kaur, who is present in Court, duly identified by her counsel. The petitioner undertakes

to hand over rest of the settled amount of ₹3,50,000/- to Kuldeep Kaur on or before 10.10.2018.

Learned counsel for Kuldeep Kaur – mother of the complainant (since deceased) submits that his client has no objection, in case, this petition is allowed subject to the petitioner strictly adhering to the terms and conditions of the settlement.

Learned counsel for the State, on instructions from SI Ram Kumar, verifies that the petitioner has 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 03.06.2016 is made absolute.

April 06, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No