

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

Criminal Misc. No.M- 2041 of 2017(O&M)

Date of Decision: March 27 , 2018.

Bala Devi and another

..... PETITIONER (s)

Versus

State of Punjab and another

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ashok Sharma Nabhewala, Advocate
for the petitioners.

Ms. Seena Mand, DAG, Punjab.

Ms. Bhagyashri, Advocate for
Dr. Diepa Singh, Advocate
for the complainant/respondent No.2.

LISA GILL, J.

The petitioners, who are the parents-in-law of the complainant, seeks the concession of anticipatory bail in FIR No.0055 dated 28.11.2016 under Sections 406/498A IPC, registered at Police Station Women, SAS Nagar.

It is informed that the parties have amicably resolved the matter before the Mediation and Conciliation Centre of this Court on 29.11.2017. Settlement/agreement dated 29.11.2017 is attached with the file of this case. The petitioners' son and respondent No.2 decided to part ways. Petition under Section 13B of the Hindu Marriage Act, 1955 has been filed by the petitioners'

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son and respondent No.2. Their statements at first motion have been recorded in the said proceedings. A sum of ₹1,00,000/- out of the settled amount has been handed over to respondent No.2 in terms of the settlement. The petitioners as well as their son undertake to hand over the balance amount as well as the dowry articles to respondent No.2 in terms of the settlement. It is submitted that the petitioners have joined investigation. Therefore, it is prayed that this petition be allowed.

Learned counsel for respondent No.2, on instructions from respondent No.2 who is present in Court, confirms that a sum of ₹1,00,000/- has been received by her. It is expressed that she has no objection in case this petition is allowed subject to the the petitioners and their son strictly adhering to the terms and conditions of the settlement.

Learned counsel for the State, on instructions from SI Harbhinder Singh, verifies that the petitioners have joined investigation and are not involved in any other criminal case. There are no allegations on behalf of the State that the petitioner is likely to abscond, if released on bail.

Keeping in view the facts and circumstances as above, specifically the settlement arrived at between the parties, but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 23.01.2017 is made absolute.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

However, liberty is afforded to respondent No.2 to move an

appropriate application, in case the terms and conditions of settlement between the parties are not adhered to by the petitioners.

March 27 , 2018.
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(LISA GILL)
JUDGE

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