

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

Criminal Misc. No.M- 20508 of 2017(O&M)

Date of Decision: March 26 , 2018.

Sumit Kumar @ Sandeep Singh

..... PETITIONER (s)

Versus

State of Punjab and another

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

Mr. Sunil Mallan, Advocate for
Mr. Inderjit Sharma, Advocate
for the complainant/respondent No.2.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.72 dated 25.04.2017 under Sections 406/498A/34 IPC, registered at Police Station City Gurdaspur, District Gurdaspur.

It is submitted that during the pendency of this petition, the matter has been amicably resolved between the parties. It is decided that petition under Section 13B of the Hindu Marriage Act, 1955 shall be filed on or before

17.04.2018. A total sum of ₹11,00,000/- shall be remitted to the complainant as full and final settlement of all her claims – past, present and future qua alimony, maintenance etc. Settlement/agreement dated 26.03.2018, furnished in Court today, is taken on record subject to just exceptions. The petitioner, it is submitted, undertakes to abide by the terms and conditions of the settlement in letter and spirit. It is thus prayed that this petition be allowed.

The complainant/respondent No.2, duly identified by her counsel, is present in Court today. It is stated that she 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 HC Hira Singh, verifies that the petitioner has joined investigation and is 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 but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Arresting/Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

However, liberty is afforded to the complainant/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 petitioner.

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.

March 26 , 2018.
'om'

(LISA GILL)
JUDGE

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