

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

Criminal Misc. No.M-22714-2017 (O&M)

Date of Decision: May 09, 2018.

AMANDEEP KHANA

..... PETITIONER

Versus

STATE OF PUNJAB AND ANR.

..... RESPONDENTS

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Ritesh Pandey, Advocate,
for the petitioner.

Mr. D.S. Sukarchakia, DAG, Punjab.

Mr. G.S. Simble, 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.71 dated 23.05.2017, under Sections 406, 498-A, 506, 116 IPC, registered at Police Station City Batala, District Gurdaspur.

Learned counsel for the petitioner submits that during the pendency of this petition the matter has been amicably resolved between the parties. Terms and conditions of the settlement were reduced into writing on 13.03.2018, a copy of which is attached with this petition.

Learned counsel for the petitioner and respondent No. 2 submit that a petition under Section 13-B of the Hindu Marriage Act, 1955 has been filed.

Part of the settled amount has been received by the complainant. It is submitted that the petitioner undertakes to abide by the terms and conditions of the settlement and specifically undertakes to hand over rest of the settled amount at the time of recording of the statements of the parties at second motion. It is, thus prayed that this petition be allowed.

Learned counsel for the respondent No. 2 verifies and affirms the factum of settlement arrived at between the parties. It is submitted that respondent No.2 has no objection in case this petition is allowed, subject to the petitioner strictly adhering to the terms and conditions of the settlement. Respondent No. 2 undertakes to abide by the terms and conditions of the settlement as well.

Learned counsel for the State, on instructions from ASI Sawinder Singh, verifies the factum of settlement arrived at between the parties. He further submits that the petitioner has joined the 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 or that he is likely to dissuade the witnesses from deposing true facts before the Court, 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. Consequently, order dated 27.06.2017 is made absolute.

Liberty is however afforded to respondent No. 2 to move an appropriate application in this matter in case the terms and conditions of the 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.

May 09, 2018
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(LISA GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No