

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

CRM-M-30894 of 2017 (O&M)

Date of Decision:28.02.2018

Patel Singh Alhuwalia and another

..... Petitioners

Versus

State of Punjab and another

..... Respondents

AND

CRM-M-35247 of 2017 (O&M)

Jagmandeep Singh Ahluwalia

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.Ankur Mittal, Advocate
for the petitioner(s).

Ms. Monika Jalota, DAG., Punjab.

Mr.P.S.Jammu, Advocate
for respondent no.2.

LISA GILL, J(Oral).

This order shall dispose of CRM-M-30894 of 2017 and CRM-M-35247 of 2017. For the sake of convenience, facts are extracted from CRM-M-30894 of 2017.

CRM-M-30894 of 2017 has been filed by the parents-in-law and CRM-M-35247 of 2017 has been filed by the husband of the complainant.

Petitioners seek the concession of anticipatory bail in FIR No.146 dated 04.07.2017, under Sections 406, 498-A, 494, 420 IPC (offences under Sections 465, 467, 471, 120-B IPC added lateron),

registered at Police Station Sohana, District S.A.S.Nagar, Mohali.

It is informed that the matter has been amicably settled by the parties during the pendency of this petition before the Mediation and Conciliation Centre of this Court on 12.02.2018. Settlement agreement dated 12.02.2018 is attached with this file. It is pointed out that a petition under Section 13-B of the Hindu Marriage Act, 1955, shall be filed by the petitioner-Jagmandeep Singh Ahluwalia and the complainant-Ripudaman Kaur by 15.03.2018. In terms of the said settlement, a demand draft No. 030049 dated 26.02.2018 for a sum of ₹2.5 lakh has been handed over to respondent no.2, who is present in Court duly identified by her counsel. A photocopy of draft dated 26.02.2018 is taken on record subject to just exceptions.

Respondent no.2 reaffirms the factum of settlement between the parties and submits that she has no objection in case these petitions are allowed subject to strict adherence to the terms and conditions of the settlement by the petitioners.

The petitioners, on the other hand undertake to abide by all the terms and conditions of the settlement in letter and spirit.

Learned counsel for the State, on instructions from ASI Lakhbir Singh, verifies that none of the petitioners are involved in any other criminal case.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are likely to dissuade the witnesses from deposing true facts in 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, these petitions are allowed.

In the event of arrest of the petitioners, they be released on bail to the satisfaction of the Arresting/investigating Officer. Petitioners shall join investigation as and when called upon to do so. Petitioners shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

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 petitions.

28.02.2018
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.