

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31279 of 2017 (O&M)

Date of Decision: 29.01.2018

Sudhir Tangri

.....Applicant-petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Vikas Bahl, Sr. Advocate
with D.N.Grover, Advocate
for the applicant-petitioner.

Mr. Anmol Malik, AAG, Haryana.

Mr. Gautam Dutt, Advocate
for the complainant.

LISA GILL, J(Oral).

CRM-3005 of 2018.

Compromise/MOU dated 22.01.2018, is taken on record subject
to just exceptions.

Application is disposed of.

CRM-M-31279 of 2017

Petitioner seeks the concession of anticipatory bail in FIR
No.239/2017 dated 17.07.2017, under Sections 498-A, 323, 377, 506 IPC
read with Section 12 of the Protection of Children from Sexual Offences
Act, 2012, registered at Police Station Women Cell, Gurugram.

It is submitted that during the pendency of this petition, the
matter has been amicably resolved between the parties. Petition under
Section 13-B of the Hindu Marriage Act, 1955, has been filed. First
installment in terms of the settlement between the parties has been handed

over to the complainant. Written terms and conditions of the compromise have been placed on record in compliance with order dated 05.12.2017 passed by this Court. Ownership of the flat in question has also been transferred in favour of the complainant. It is further submitted that the petitioner undertakes to abide by the terms and conditions of the settlement. It is thus prayed that this petition be allowed.

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

Learned counsel for the State, on instructions from ASI Rajinder, verifies that the petitioner is not involved in any other criminal case.

Keeping in view the facts and circumstances as above, especially 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.

In the event of arrest of the petitioner, he be released on bail to the satisfaction of the Arresting/investigating Officer. The petitioner shall join investigation as and when called upon to do so. Petitioner 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 petition.

29.01.2018
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No

Whether reportable:Yes/No