

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

Crl. Misc. M-34804-2018 (O&M)

Date of Decision: 28.11.2018

Manjit Kaur and another

...Petitioners

Versus

State of Punjab and another

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Rajat Dogra, Advocate, for
Mr. S.P.S. Sidhu, Advocate,
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Mr. Gurpreet Jayia, Advocate, for
Mr. Ravi Gakhar, Advocate,
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This Court was pleased to pass the following order on
14.08.2018:-

“The petitioners herein prays for grant of anticipatory bail in case FIR No. 74 dated 29.06.2018 under Sections 498A, 406, 377, 354 IPC, registered at Police Station City Jalalabad, District Fazilka.

Learned counsel for the petitioners contends that the petitioners herein being the parents of the husband of the complainant are ready to settle the dispute amicably and pray that the matter be referred to the Mediation

and Conciliation Centre of this Court.

Notice of motion.

At this stage, Mr. Ravi Gakhar, Advocate, puts in appearance and files power of attorney on behalf of the complainant-respondent No.2, who opposes the grant of anticipatory bail to the petitioners on the ground that the recovery of the Istridhan that has been given, is yet to be effected. Moreover, on an earlier occasion an attempt was made to settle the dispute, did not result in any positive action.

On the asking of the Court whether the complainant would still be ready to enter into the mediation process, counsel for the complainant, on instructions, submits that the complainant would not be averse to the mediation process while praying that no undue advantage should be given to the husband in such a situation.

I have heard learned counsel for both the parties and deem it appropriate to refer the parties to appear before the Mediation and Conciliation Centre of this Court on 27.08.2018.

Husband is directed to pay a sum of ` 15,000/- to the respondent-wife towards litigation expenses before the Mediator, on the date fixed.

Meanwhile, the petitioners are directed to appear before the Investigating Officer and hand over the Istridhan, which is in their possession. In the event of arrest, they be released on interim bail subject to their furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions as

provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioners submits that in terms of the order dated 14.08.2018, the parties appeared before the Mediation and Conciliation Centre of this Court, where the matter has been compromised between the parties.

Learned counsel for the respondent-State, on instructions from the Investigating Officer and the counsel for the complainant confirm the factum of compromise between the parties.

In view of the facts that the the parties have compromised the matter, the petition is allowed and order dated 14.08.2018 granting interim bail to the petitioners is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

28.11.2018
Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No