

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

Crl. Misc. No. M-33938 of 2017

Date of Decision : January 25, 2018

ShinderpalPetitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

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Present: Mr. B.S.Cheema, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Sukhmeet Singh, Advocate for
Mr. J.S.Moudgil, Advocate
for the complainant.

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LISA GILL, J. (Oral)

The petitioner seeks the concession of anticipatory bail in FIR
No. 77 dated 05.08.2017 under Sections 498-A, 323, 34 IPC registered at
Police Station Longowal District Sangrur.

It is informed that the matter has been amicably resolved
between the parties before the Mediation and Conciliation Centre of this
Court on 13.11.2017.

Learned counsel for the petitioner submits that petition under
Section 13-B of the Hindu Marriage Act, 1955 has been filed. First
instalment of ₹05 lakhs has been handed over to the complainant. The
petitioner undertakes to hand over the entire settled amount of ₹14,90,000/-
as detailed in the settlement dated 13.11.2017. He also undertakes to abide

by all the terms and conditions of the settlement. Moreover, the petitioner has joined investigation. Therefore, this petition be allowed.

Learned counsel for the complainant verifies and affirms the factum of settlement between the parties as well as filing of the petition under Section 13-B of the Hindu Marriage Act, 1955. It is stated 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.

Learned counsel for the State, on instructions from HC Bikramjit Singh verifies the settlement between the parties. It is further verified that the petitioner has joined investigation.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits of the case, it is considered just and expedient to allow this petition.

Consequently, 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.

However, liberty is afforded to the complainant to file appropriate application in case the terms and conditions of settlement between the parties are not adhered to by the petitioner.

25.01.2018

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(LISA GILL)
JUDGE

Note: Whether speaking/reasoned
Whether Reportable:

Yes / No
Yes / No