

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

**CRM-M-35426 of 2017 (O&M)
Date of Decision:20.03.2018**

Radhika

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Mr. Anmol Singh Sandhu, AAG., Punjab.

Mr. G.S.Brar, Advocate
for the complainant.

LISA GILL, J(Oral).

Petitioner seeks the concession of anticipatory bail in FIR No.100 dated 12.08.2017, under Sections 452, 324, 323, 120-B, 34 IPC, registered at Police Station Kotbhai, District Sri Muktsar Sahib.

As per allegations in the FIR, which was registered on the statement of the complainant-Kuldeep Kaur, the complainant's husband and the present petitioner illegally solemnized marriage. It is stated that the complainant and her husband were living separately from the complainant's in-laws from the last five years. The present petitioner and the complainants' mother-in-law barged in their house and attacked the complainant.

Learned counsel for the petitioner submits that she has been unnecessarily involved in the controversy. She has joined investigation pursuant to the interim order passed by this Court. She undertakes to face the proceedings and not abuse the concession of anticipatory bail, if confirmed.

Moreover the complainant and her husband have compromised the matter.

It is thus prayed that this petition be allowed.

Learned counsel for the complainant on instructions from the complainant, who is present in Court, submits that the matter has been amicably resolved by the complainant with her husband. She is ready to accept a sum of ₹7 lakhs as full and final settlement of all her claims; past, present and future qua maintenance, alimony etc. The complainant submits that she is amenable to part ways with her husband, in case a sum of ₹7 lakhs is remitted to her.

The husband of the complainant-Sukhjeet Singh, duly identified by ASI Vipin Kumar, is present in Court. He submits that he is ready and willing to part ways with the complainant.

It is agreed between the complainant and her husband that a petition under Section 13-B of the Hindu Marriage Act, 1955, shall be filed by them within the next 15 days. A sum of ₹5 lakhs shall be handed over to the complainant at the time of recording of the statements of the parties at first motion. The remaining amount of ₹2 lakh shall be handed over to the complainant at the time of recording of the statements of the parties at second motion in the said petition.

Learned counsel for the State, on instructions from ASI Vipin Kumar, verifies that the petitioner has joined investigation and her custodial interrogation, it is submitted is not required. The petitioner is not reported to be involved in any other criminal case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that she is likely to dissuade the witnesses from deposing true facts in the Court, if released on anticipatory 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 21.09.2017, is made absolute.

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.

20.03.2018
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned	:	Yes/No.
Whether reportable	:	Yes/No.