

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

Criminal Misc. No.M- 36638 of 2017(O&M)

Date of Decision: April 24 , 2018.

Sukul Mahendru

..... PETITIONER (s)

Versus

State of Punjab and another

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

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

Ms. Ruchika Sabharwal, AAG, Punjab.

Mr. Saurabh Gulia, Advocate
for the complainant/respondent No.2.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.183 dated 14.08.2017 under Sections 406/498A IPC, registered at Police Station Phase-I, SAS Nagar, Mohali.

It is informed that the petitioner and respondent No.2 have amicably resolved the matter before the Mediation and Conciliation Centre of this Court.

Settlement/agreement dated 12.01.2018 is attached with this file. Learned counsel for the petitioner and respondent No.2 submit that petition under Section

13B of the Hindu Marriage Act, 1955 has been filed, statements of the parties at first motion have been recorded in the said proceedings and part of the settled amount has been remitted to respondent No.2. The petitioner as well as respondent No.2 undertake to abide by the terms and conditions of the settlement arrived at between them. Additionally, it has been agreed that respondent No.2 shall be permitted visitation rights in regard to the minor child whose custody has been handed over to the petitioner, on 3rd Saturday of each month at the Mediation Centre of Dwarka Courts Complex, New Delhi. It is further submitted that CRM No.M-5143 of 2018 has been filed for quashing of the abovementioned FIR on the basis of compromise. It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Pritpal Singh, verifies that the petitioner has joined investigation and is not involved in any other criminal case. There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before 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, this petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Arresting/Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

Sum of ₹20,000/- deposited with the Registry of this Court by the petitioner in terms of order dated 29.09.2017 be released to respondent No.2 qua adequate proof of identity.

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.

April 24 , 2018.
'om'

(LISA GILL)
JUDGE

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