

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

Criminal Misc. No.M-40309-2016 (O&M)

Date of Decision: April 25, 2018.

DINESH KUMAR

..... PETITIONER

Versus

STATE OF PUNJAB

..... RESPONDENT

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Digvijay Nagpal, Advocate,
for the petitioner.

Mr. D.S. Sukarchakia, DAG, Punjab.

Mr. Talwinder Singh, Advocate for
Ms. Rakhi Sharma, Advocate,
for respondent Nos. 2 and 3.

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.113 dated 07.10.2016, under Sections 406, 498-A IPC, registered at Police Station Women Cell, Ludhiana.

Learned counsel for the petitioner submits that during the pendency of this petition the matter has been amicably resolved between the parties. It is further submitted that the petitioner and his wife i.e. daughter of the complainant have filed a petition under Section 13-B of the Hindu Marriage Act, 1955. A sum of Rs. 4 lacs has been handed over to complainant's daughter. The petitioner undertakes to abide by the terms and conditions of the settlement and specifically

undertakes to hand over the rest of the settled amount at the time of the recording of the statements of the parties at second motion. It is, thus prayed that this petition be allowed.

Learned counsel for the respondent Nos. 2 and 3 verifies and affirms the factum of settlement arrived at between the parties. It is submitted that respondent No.2 and 3 have 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 ASI Mohan Singh, verifies the factum of settlement arrived at between the parties. He further submits that the petitioner has joined the 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. Consequently, order dated 10.11.2016 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.

April 25, 2018
jyoti-3

(LISA GILL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No