

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

**Criminal Misc. No.M- 48531 of 2017(O&M)**

**Date of Decision: February 09 , 2018.**

Avinash Sharma

..... PETITIONER (s)

**Versus**

Union Territory, Chandigarh and another

..... RESPONDENT (s)

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

Present: Mr. Rajeev Duggal, Advocate  
for the petitioner.

Mr. Gautam Dutt, APP, U.T.

Mr. Suvir Sehgal, Advocate with  
Mr. Akshay Sethi, Advocate  
for the complainant/respondent No.2.

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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?

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**LISA GILL, J.**

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.110 dated 20.11.2017 under Sections 406/498A IPC, registered at Police Station Women, Sector 17, Chandigarh.

It is submitted that the matter has been amicably resolved between the parties during the pendency of this petition before the Mediation and Conciliation Centre of this Court on 06.02.2018. Settlement/agreement dated 06.02.2018 is attached with the file. First installment of ₹9,00,000/- has been received by respondent No.2. The petitioner, it is submitted, undertakes to abide

by the terms and conditions of the settlement. Therefore, it is prayed that this petition be allowed.

Mr. Sehgal, learned counsel for respondent No.2 submits that his client 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 Union Territory, Chandigarh verifies that the petitioner is not involved in any other criminal case. His custodial interrogation is not required. 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.

However, liberty is afforded to the complainant/respondent No.2 to move an appropriate application in this matter, in case the terms and conditions of settlement between the parties are not adhered to by the petitioner.

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.

February 09, 2018.  
'om'

( **LISA GILL** )  
**JUDGE**

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