

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

Criminal Misc. No.M- 5791 of 2018(O&M)

Date of Decision: May 08 , 2018.

Amritpal Singh Sarao

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. K.D.Sachdeva, Advocate
for the petitioner.

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

Mr. Rajnish K.Jindal, Advocate
for the complainant.

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.04 dated 04.01.2018 under Sections 498A/406 IPC, registered at Police Station Sadar, Sangrur.

It is informed that the matter has been amicably resolved between the parties before the Mediation and Conciliation Centre of this Court on 22.03.2018. Settlement/agreement dated 22.03.2018 is attached with this file.

The petitioner and his wife, the complainant have decided to part ways.

Learned counsel for the petitioner submits that petition under Section 13B of the Hindu Marriage Act, 1955 has since been filed by the petitioner and the complainant. A sum of ₹11,00,000/- out of the total settled amount of ₹21,50,000/- has been handed over to the complainant. It is submitted that the petitioner undertakes to abide by the terms and conditions of the settlement arrived at between the parties and hand over the balance of the settled amount to the complainant in terms of the abovesaid settlement. It is further submitted that the petitioner has joined investigation and he undertakes to face the proceedings and not misuse the concession of anticipatory bail, if afforded to him. Therefore, it is prayed that this petition be allowed.

Learned counsel for the complainant verifies the abovesaid factual position and submits that in view of the settlement arrived at between the parties, the complainant has no objection in case this petition is allowed.

Learned counsel for the State, on instructions from ASI Gurmeet 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, if released on bail.

Keeping in view the facts and circumstances as above, specifically the settlement arrived at between the parties, but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 12.02.2018 is made absolute.

However, liberty is afforded to the complainant to move an appropriate application in case the terms and conditions of the settlement arrived at between the parties are not carried out 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.

May 08 , 2018.
'om'

(LISA GILL)
JUDGE

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