

209.

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-11298-2018

Date of decision:08.01.2019

BHAWJOVAN SHERGILL

...Petitioner.

Versus

STATE OF PUNJAB AND ANR

...Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Arshvir S. Sandhu, Advocate, for
Mr. Sant Pal Singh Sidhu, Advocate,
for the petitioner.

Mr.Rana Harjasdeep Singh, DAG, Punjab,
for respondent No.1.

Mr. S.K. Arora, Advocate,
for respondent No.2.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 439 (2) read with Section 482 Cr.P.C. is for cancellation of regular bail granted to respondent No.2 vide order dated 06.11.2017 passed by learned Judicial Magistrate Ist Class, Moga in case FIR No.181 dated 19.08.2017 registered under Sections 498-A, 323, 342, 506, 34 IPC at Police Station Dharamkot, District Moga.

Learned State counsel has taken a very serious objection and states that the present petition is not maintainable as the petitioner has a remedy before the learned Sessions Judge.

However, at this stage, learned counsel appearing on behalf of respondent No.2 states that the matter has been compromised between the parties and as a consequence thereof, the parties have filed a petition under

Section 13-B of Hindu Marriage Act for grant of divorce by way of mutual consent. He further states that as against the agreed amount of Rs.17 lakhs, an amount of Rs.8.50 lakhs has already been paid to the petitioner at the first motion stage and the remaining amount would be paid at the second motion stage.

In view of above statement made by learned counsel for respondent No.2 that the matter has been compromised between the parties, the present petition is hereby dismissed. However, in case, it is found that the remaining amount has not been paid, petitioner would be at liberty to revive the present petition.

(HARI PAL VERMA)
JUDGE

08.01.2019

sanjeev

Whether speaking/reasoned Yes/No.

Whether Reportable: Yes/No.