

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

1. CRM-M No.18690 of 2019

Harprince Singh @ Prince

... Petitioner

Versus

State of Punjab & another

... Respondents

2. CRM-M No.16949 of 2019

Bhag Singh

... Petitioner

Versus

State of Punjab

... Respondent

Date of decision: 4th December, 2019

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Amit Gupta, Advocate for the petitioners.

Mr. Pawan Sharda, Sr. Dy. Advocate General, Punjab
for the respondent/State.

Complainant/respondent No.2 in person along with
Mr. Ishar Singh and Ms. Harjot Kaur, Advocates.

FATEH DEEP SINGH, J. (ORAL)

The above detailed two anticipatory bail applications both under Section 438 Cr.P.C., one filed by Harprince Singh alias Prince husband and the other by Bhag Singh father-in-law having arisen in the same very FIR bearing No.16 dated 27.02.2019 under Sections 498-A, 406 IPC pertaining to Police Station Amloh, District Fatehgarh Sahib, are being taken up for disposal together.

The present case was got registered by Malkeet Singh, father of Amandeep Kaur, alleging that marriage of his daughter was performed on 24.11.2016 where family had given sufficient dowry articles as per the demands of the accused side, however the accused were not happy with the same. The complainant further alleges that on account of more demand of dowry the accused used to taunt his daughter and she was mentally as well as physically tortured, leading to registration of the present case.

Learned counsel for the petitioners Mr. Amit Gupta, Advocate inter alia submits that the parties have settled their dispute and has sought to place reliance on the settlement agreement made before the Mediator of this Court on 02.12.2019, original of which has been placed on the record of this case.

Learned State counsel, Mr. Pawan Sharda, Sr. Dy. Advocate General, Punjab on instructions from SI Major Singh, has not displaced the fact that parties have settled their dispute but has sought to vehemently oppose the grant of bail on the grounds of heinousness of the offence.

In the light of what has been canvassed before this Court by the two sides and even the complainant who is present in person and has been identified by her counsel Mr. Ishar Singh, Advocate assisted by Ms.Harjot Kaur, Advocate, and who has made statement vouching for the

settlement agreement and has shown her resolve that she does not object if the petitioners are granted bail.

In view thereof, being a pure matrimonial dispute and the fact that parties have settled the same, this Court is of the opinion that it would be a travesty of justice to send the petitioners in custody in the present case. Accordingly, in the event of arrest, the petitioners are ordered to be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 Cr.P.C. (challan). They shall continue to join investigation and shall furnish an undertaking that they shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, the petitioners will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

Both the petitions stand disposed off in those terms.

(FATEH DEEP SINGH)
JUDGE

December 4, 2019

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No