

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M- 36313 of 2019.
Decided on:-November 16,2019

Anil KumarPetitioner.
Versus
State of Haryana and anr.Respondents.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. H.S. Deol, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana

HARI PAL VERMA, J.(ORAL)

The petitioner, who is husband of respondent no.2-complainant, has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No. 298 dated 22.7.2019 under Sections 498-A and 506 IPC registered at Police Station Urban Estate, Rohtak.

Vide order dated 02.09.2019 while staying the arrest of the petitioner, the matter was referred to the Mediation and Conciliation Centre of this Court and the parties were directed to appear before the Mediation Centre on 24.09.2019.

Pursuant thereto a report from the Mediator has been received that the parties are not interested in the mediation.

Counsel for the petitioner has produced a photocopy of a petition filed under Section 13-B of Hindu Marriage Act for dissolution of marriage by a decree of divorce with mutual consent alongwith the joint statement of the parties wherein the parties have settled their disputes. It is submitted that on account of temperamental difference they could not adjust

with each other and are now residing separately since 1.6.2018. There is no chances of re-conciliation between the parties. The parties to the marriage have made full and final settlement in a sum of Rs.10,00,000/-, out of which complainant has already received a sum of Rs.5,00,000/- by way of cheque dated 13.09.2019 and the remaining amount of Rs.5,00,000/- shall be paid at the time of recording of second motion statement in pending petition under Section 13-B of Hindu Marriage Act towards lump-sum amount on account of her past, present and future maintenance and permanent alimony. The same is taken on record.

In view of the joint statement of the parties made before the Family Court, Rohtak on 13.09.2019, in proceedings under Section 13-B of H.M. Act, the present petition is allowed and the interim order dated 02.09.2019 passed by this Court is hereby made absolute.

However, in case the petitioner is required in the case in any manner, a clear 15 days notice be given to him.

November 16, 2019
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes
Whether Reportable: No