

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-26948-2019 (O&M)

Date of Decision: February 14, 2020

Tarun

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rajesh Lamba, Advocate
for the petitioner.

Ms. Trishanjali Chopra, AAG, Haryana.

Mr. Johan Kumar, Advocate for
Mr. Balraj Gujjar, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No. 49 dated 15.05.2019 under Section 498-A, 406, 354, 323, 34 of the Indian Penal Code, registered at Police Station Women Ballabgarh, District Faridabad.

Learned counsel for the petitioner contends that the matter had been referred to the Mediation and Conciliation Centre at Faridabad, pursuant to which a compromise has been arrived at between the parties. As per the terms of the compromise it was agreed between the parties that an amount of ₹3.5 lacs would be paid by the petitioner herein as full and final

payment alongwith the condition that a petition under Section 13-B of the Hindu Marriage Act would also be filed. Learned counsel further submits that on the direction of this Court, the petitioner has already joined the investigation. It is also contended that nothing is to be recovered from him. Learned counsel for the complainant-respondent No. 2 has not opposed the above facts.

Learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer submits that the petitioner has joined the investigation and he is no more required for any custodial interrogation.

I have heard learned counsel for the parties.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation and that the matter stands settled before the District Legal Services Authority, Faridabad, whose report is available on the record, without commenting on the merits of the case, the petition is allowed and order dated 17.06.2019 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure. It is made clear while confirming the interim bail of the petitioner that the parties would be bound by the compromise that has been arrived at between them.

February 14, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No