

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202)

CRM-M-11815-2020

Date of decision:- 12.11.2021

Sanjeev Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Mrigank Sharma, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab for respondent No.1.

Mr. Vijay Lath, Advocate for respondent No.2.

...

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No. 17 dated 11.02.2020, registered under Sections 406 and 498-A of the Indian Penal Code, 1860, at Police Station Balongi, District SAS Nagar Mohali, Punjab, Annexure P-1.

Counsel for the petitioner submits that the petitioner was married to respondent No.2-complainant on 29.04.2018 and the FIR is an outcome of a marital discord between the parties, which has been settled by virtue of settlement/agreement dated 05.03.2021 arrived at before the Mediation and Conciliation Centre of this Court. Counsel submits that in terms of the

settlement, a decree for divorce by mutual consent has been passed and the petitioner has complied with all the terms and conditions of the compromise. Still further, he submits that a petition seeking quashing of the FIR is in the process of being filed.

Counsel representing the respondent No.2-complainant has admitted the factum of compromise as well as the statement made by the counsel for the petitioner.

In view of the above development, but without commenting on the merits of the case, the present petition is allowed. Order dated 20.03.2020 is made absolute.

It is made clear that in case, there is any violation of the terms of the compromise by the petitioner, it shall be open to the respondents to seek cancellation of the bail.

12.11.2021
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No