

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

**CRM-M-25908-2021
Date of decision: 08.07.2021**

Harpreet Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Simranjeet Singh, Advocate
for the complainant.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition that has been filed for grant of anticipatory bail to the petitioner in FIR No. 63 dated 06.06.2020, registered under Sections 406 and 498-A of the IPC at Police Station Banur, District Patiala.

The first petition, bearing CRM-M-18175-2020, was dismissed by this Court on 21.09.2020.

Learned counsel for the petitioner submits that the new ground for filing the present petition is that now a settlement has been arrived at between the parties and they have filed a petition under Section 13-B of the Hindu Marriage Act, in which while recording the first motion statement of the parties, the petitioner has paid an amount of Rs. 15 Lakh by way of a demand draft to his wife/respondent No.2/complainant Jasvir Kaur.

Learned counsel further submits that even it is agreed that at the time of recording of second motion statement, the balance amount of Rs. 9 Lakh will be paid by the petitioner.

Learned counsel further submits that even the petitioner has filed a petition, bearing CRM-M-6964-2021, seeking quashing of the FIR on the basis of the compromise, in which notice of motion has been issued for 03.09.2021.

Learned State counsel, assisted by learned counsel for respondent No. 2/complainant, has not disputed the factual position and submitted that they have no objection if the present petition is allowed and petitioner is granted concession of conditional bail that he will abide by the compromise and will make the balance payment to respondent No. 2/complainant at the time of second motion in the proceedings under Section 13-B of the Hindu Marriage Act.

After hearing learned counsel for the parties, considering the aforesaid submissions of learned counsel for the parties, the present petition is allowed and the petitioner is granted concession of anticipatory bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

It is made clear that it will be open for respondent No. 2/complainant to move an application for cancellation of bail in case at the stage of second motion in the proceedings under Section 13-B of the Hindu Marriage Act, the petitioner fails to abide by the terms and conditions of the compromise or make the payment of balance amount i.e. Rs. 9 Lakh.

08.07.2021

Waseem Anvari

*Whether speaking/reasoned
Whether reportable*

**(ARVIND SINGH SANGWAN)
JUDGE**

*Yes/No
Yes/No*