

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209

CRM-M-42773-2020

Date of Decision: 08.02.2021

HARJIT SINGH @ HARJEET SINGH Petitioner

Vs

STATE OF PUNJAB Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr.Chandeep Singh, Advocate
for the petitioner.

Mr. Bhupender Beniwal, Asstt.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video-conferencing.

The petitioner seeks grant of anticipatory bail in case bearing FIR No.43 dated 12.11.2020, registered under Sections 406 and 498-A IPC at Police Station Women, District Ludhiana.

On 18.12.2020, following order was passed:-

"The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that the petitioner is the husband of the complainant and the petitioner intends to settle the dispute with his wife.

Notice of motion for 08.02.2021,

subject to payment of Rs.20,000/- by demand draft in favour of the complainant.

Both the parties are directed to appear before the Mediation and Conciliation Centre of District Court, Ludhiana on 23.12.2020.

Till the next date of hearing, arrest of the petitioner shall remain stayed.

Report from Mediation and Conciliation Centre be requisitioned on or before the date fixed.”

In compliance of the aforesaid order, mediation took place between the parties and the matter has been settled amicably. Mediator has sent the terms and conditions of settlement, on which both the parties have consented to. Conditions of settlement would show that both the parties are ready to continue their married life. The petitioner shall arrange a separate portion of residence on rent for a period of five months and shall pay the rent himself and shall also reside alongwith the complainant and minor child in the said rented premises and shall also bear the expenses of daily deed during that period. After five months both the parties will shift to matrimonial house i.e. House No.717, Near Gopal Mandir, Sanjay Gandhi Colony, Ludhiana. The petitioner shall be bound to pay an amount of Rs.5,000/-per month towards maintenance of the complainant and the minor son and the complainant shall withdraw the cases.

Other conditions have also been formulated.

In view of above, the present petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 14.02.2021 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

08.02.2021
Anju

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No