

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

CRM-M-35992-2018(O&M)

Date of Decision: 16.08.2021

(Heard through V.C.)

Kamaljit Kaur

...Petitioner

Versus

State of Punjab and another

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Ms. Ekta Thakur, Advocate
for the petitioner.

Ms. Rashmi Attri, A.A.G., Punjab.

Mr. P.S. Jammu, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed for cancellation of bail granted to respondent No.2 in case FIR No.0152 dated 05.05.2018 under Sections 377, 498-A, 506 and 34 of IPC, which had been allowed by Judicial Magistrate First Class, Dera Bassi vide order dated 16.05.2018.

Learned counsel appearing on behalf of the petitioner herein would fairly contend that in fact pursuant to the orders passed in this application, the matter has been compromised before the Mediation and Conciliation Centre of this Court as would be evident from the settlement agreement dated 18.12.2019. The parties herein have agreed to part ways and file a petition under Section 13-B of the Hindu Marriage Act as well as to file a quashing petition in the High Court. It is contended that the

divorce petition has been allowed and respondent No.2-accused has solemnized the marriage elsewhere. It is submitted that a compromise quashing petition is pending in the High Court. Learned counsel appearing on behalf of the petitioner would submit that though the divorce has been allowed, the entire settled amount has not been paid as yet.

I have heard learned counsel for the parties and find that there is no ground for cancellation of the regular bail allowed to respondent No.2 herein. In case there is any dispute regarding the full and final settlement, petitioner would always be at liberty to raise those pleas in the quashing petition that has been filed. The petitioner has not been able to point out as to when and under what circumstances, the bail order has been violated by respondent No.2 herein.

Considering the fact that the divorce petition has already been allowed, the present petition has rendered infructuous and is disposed of accordingly.

16.08.2021
ps-I

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No