

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

209

CRM-M-3718-2020

Date of Decision: 27.10.2022

LALIT GULATI

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Vaneet Soni, Advocate for the petitioner.

Mr. Mohit Chaudhary, AAG, Punjab.

Mr. Sandeep K. Sharma, Advocate
for the complainant/respondent No.2.

SUVIR SEHGAL, J.(ORAL)

Vide the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.72 dated 05.09.2019, Annexure P-1, registered under Sections 498-A and 506 of IPC, 1860, and Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, at Police Station Women, District Police Commissionerate, Jalandhar.

Counsel for the petitioner submits that FIR is an outcome of a matrimonial dispute, which was settled by way of a compromise dated 27.05.2021, Annexure A-1. He submits that despite the settlement, the complainant did not come forward to get her statement recorded in support of the petition filed for quashing of the FIR on the basis of compromise. Counsel submits that the petitioner is still ready to adhere to the terms of the compromise and make the payment of permanent alimony of Rs.1.50 lac.

Upon instructions from ASI Rachhpal Singh, State counsel submits that the petitioner has joined the investigation and no recovery is to be effected from him. He submits that Section 406 of IPC has not been invoked.

Counsel for the complainant has, however, opposed the petition and has submitted that in fact the petitioner is running away from giving effect to the terms of the compromise.

In view of the above, without commenting upon the allegations levelled in the petition, present petition is allowed and order dated 29.04.2022 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

27.10.2022
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(SUVIR SEHGAL)
JUDGE

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