

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

CRM-M-12774-2021
Date of decision: 29.07.2022

Sarabjit Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Monty Goyal, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

Mr. D.S.Gandhi, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case bearing FIR No.138 dated 23.12.2020 (Annexure P-1), registered under Sections 306, 120-B IPC, at Police Station Valtaha, District Tarn Taran.

Learned counsel for the petitioner submits that the FIR was registered at the instance of Sarabjit Kaur, whose husband, namely, Gurbaksh Singh, had committed suicide on 22.12.2020, by shooting himself with a pistol, which was a licensed one; that the petitioner is working as a Junior Engineer in Municipal Council and that on 26.03.2020, the marriage of the petitioner was solemnized with daughter of the deceased, namely, Kiranpreet Kaur. He further submits that co-accused, namely, Gurmeet Kaur, Gurpreet Kaur @ Happy and Rachpal

Singh, have already been granted the concession of bail by a Coordinate Bench of this Court.

Vide order dated 15.09.2021 passed by a Coordinate Bench, arrest of the petitioner was stayed, and the parties were directed to appear before the District Mediation Centre, Tarn Taran for exploring the chances of settlement, if any. However, the mediation remain unsuccessful.

Vide order dated 09.03.2022 passed by this Court, the parties were again directed to appear before the Mediation and Conciliation Centre of this Court.

In pursuance thereof, the Mediator has submitted the report dated 06.07.2022. As per the same, a compromise/settlement has been arrived at between the parties.

Learned counsel for the petitioner and learned counsel for the complainant submit that the compromise has been effected between the parties and they would file a divorce petition under Section 13-B of the Hindu Marriage Act.

I have heard the learned counsel for the parties.

Keeping in view the fact that the matter has amicably been settled between the parties, this Court finds that no useful purpose would be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. The petitioner is directed to join the investigation as and when called upon to do so and if he is sought to be arrested, he shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) Cr.P.C.

Needless to say that the parties shall remain bound by the terms and conditions of the compromise/settlement dated 06.07.2022.

29.07.2022

parveen kumar

(HARNARESH SINGH GILL)

JUDGE

Whether reasoned/speaking?

Whether reportable?

Yes/No

Yes/No