

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

(I)

CRM-M-28607-2020(O&M)

Date of Decision:- 06.8.2022

Jatin Khanna

... Petitioner

Versus

State of Punjab

... Respondent

(II)

CRM-M-30397-2020 (O&M)

Kewal Krishan Khanna

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanjeev Manrai, Senior Advocate with
Mr. Nandan Jindal, Advocate, for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Ms. Shaveta Sanghi, Advocate, for the complainant.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two petitions wherein petitioners Jatin Khanna and Kewal Krishan Khanna, seek grant of anticipatory bail in a case registered vide FIR No. 36 dated 26.2.2020, Police Station Sadar, District Kapurthala, under Sections 419, 420, 465, 467, 468, 471, 120 IPC.
2. It may here be mentioned that another FIR No.127 dated 07.07.2017 was also lodged by the complainant against the petitioners and they have also been granted the concession of bail in that case.
3. The matter arises out of a matrimonial dispute between the petitioners namely Jatin Khanna, Kewal Krishan Khanna and complainant Deepika Dhingra wife of petitioner-Jatin Khanna.
4. The parties are present in person along with their respective counsel.
5. It is admitted by both the parties that previously the matter had been referred to Mediation and Conciliation Centre of this Court, wherein a compromise was effected on 02.03.2021. Both the learned counsel upon taking instructions from their clients have submitted that they are still willing to abide by the said compromise.
6. It has been specifically submitted by learned counsel for the complainant that she would do all the needful for getting the FIRs quashed on the basis of compromise. Learned counsel representing the complainant has also categorically stated that she has no objection for operating the locker in question or for transferring the

locker alongwith its contents whatever the contents may be in the name of the husband.

7. Learned counsel representing the petitioners has submitted that in fact the petitioners or any other of their relative do not have any objection in case the locker in question is kept by the complainant alongwith all the contents and they do not even insist upon opening the same in their presence. Learned counsel has however, expressed that the complainant should undertake not to institute any other criminal case in respect of the matrimony or in respect of any act or conduct which may have taken in the past.
8. Even the complainant has expressed a similar apprehension that the complainant may be involved in some other case.
9. Learned counsel for the petitioners upon taking instructions from his clients has stated that no civil or criminal case or proceedings in respect of any conduct arising out of the matrimony or otherwise in respect of any past conduct or act of the complainant, shall be instituted.
10. Learned counsel representing the petitioners has submitted that the civil suit which has been instituted by the petitioner-Jatin Khanna against the complainant in respect of opening of locker etc. shall be withdrawn.
11. Similarly the complainant has also undertaken to withdraw petition filed under Section 13 of Hindu Marriage Act or shall get the same converted it under Section 13-B of Hindu Marriage Act or shall file a fresh one under Section 13-B of Hindu Marriage Act after

withdrawing petition under Section 13 of Hindu Marriage Act. Needless to mention, all other litigation, notices etc. in respect of the locker or any other thing arising out of the matrimony shall be withdrawn by both the parties.

12. Learned State counsel has submitted that the petitioners have joined investigation and are not required for custodial interrogation.
13. Keeping in view the aforestated position wherein the petitioners have joined investigation and are not required for any custodial interrogation, the petitions are accepted and the interim directions issued by this Court vide order dated 25.9.2020 and 30.9.2020 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
14. Both the parties are directed to:
 - i. Abide by terms and conditions of compromise dated 02.03.2021 effected before Mediation and Conciliation Centre;
 - ii. Abide by the undertakings made before this Court, as recorded above;
 - iii. Shall not institute any civil or criminal case or proceedings against other party in respect of any conduct arising out of the matrimony or otherwise in respect of any past conduct or act and take all necessary steps for amicably parting ways and avoid litigation in future.
 - iv. That the petitioners in accordance with the understanding amongst the parties shall surrender the

bank locker alongwith its contents in favour of the complainant and to complete requisite formalities in the bank for doing the needful.

15. A photocopy of this order be placed on the file of each connected case.

06.8.2022
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(GURVINDER SINGH GILL)
JUDGE

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