

CRM-M-35980-2022

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

CRM-M-35980-2022

Date of decision: 31.10.2022

Kuldeep Kaur

...Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

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

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

Mr. Kushagra Mahajan, Advocate,
for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks anticipatory bail in case FIR No.190 dated 09.11.2021, registered under Sections 420 and 120-B IPC, at Police Station Kathu Nangal, District Amrtisar Rural.

Vide order dated 18.08.2022 passed by this Court, the parties, as requested, had been directed to appear before the Mediation and Conciliation Centre of this Court.

As per the report of the Mediator, the parties have settled their disputable by way of an amicable settlement. A relevant extract of the settlement would read as under:

“6. The following settlement has been arrived at between the parties hereto:

i) The parties have mutually agreed to settle the

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matter for a total sum of Rs.6,50,000/- (Rupees Six Lacs and Fifty Thousand only). This amount shall be paid by the petitioner/first party to the second party as full and final settlement of the present dispute.

ii) That it is mutually agreed that this amount shall be paid in installments of Rs.50,000/- payable by the 10th of every month starting from October, 2022 and till 10th October, 2023, in 13 installments as stated above.

iii) It is mutually agreed between the parties that once the entire amount of Rs.6,50,000/- (Rupees Six Lacs and Fifty Thousand only) has been received by the second party, the second party shall have no objection to the quashing of the FIR filed against the petitioner and her co-accused. The second party undertakes to make any statement before the police or before the Court as need be to facilitate the withdrawal/quashing of the FIR.

iv) That the second party also undertakes to withdraw the case filed against the husband of the petitioner under Section 138 Negotiable Instruments Act, at Amritsar.”

Learned counsel for the complainant submits that the matter has been amicably settled between the parties and he has no objection, if the petitioner is granted anticipatory bail, subject to the fulfilment of above mentioned conditions.

I have heard the learned counsel for the parties.

Keeping in view the fact that the matter has been amicably settled between the parties, this Court finds that the petitioner is not required for custodial interrogation. 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 she is sought to be arrested, she shall be released on anticipatory bail to the satisfaction of Investigating Officer/Arresting Officer, subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

The petitioner shall remain bound by the terms of compromise

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effected between the parties.

In case of breach of any of the conditions of the settlement on the part of the petitioner, the complainant would be at liberty to seek revival of this petition.

31.10.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No