

121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRA-S-777-2023 (O&M)
Decided on : 17.03.2023

Gurminder Pal Kaur

..... Appellant

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vivek K. Thakur, Advocate
for the appellant.

Manjari Nehru Kaul, J.(Oral)

CRM-12230-2023

Application is allowed as prayed for and the delay of 52 days in filing the appeal is condoned.

Main case

The appellant is seeking protection from arrest in a complaint under Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under Sections 323, 342, 365, 511 and 120-B IPC whereby she has been summoned by the trial Court to face trial.

Learned counsel for the appellant, at the outset, has drawn the attention of this Court to an affidavit (Annexure P-4) filed on behalf of the complainant Lakhbir Singh, wherein it stands revealed that subsequent to the institution of the complaint in question, the parties with the intervention of respectables had ironed out their differences and amicably effected a compromise. Learned counsel submits that in the affidavit (Annexure P-4) it also stands reflected that a quashing petition would be filed for quashing the complaint in question. Hence, in the circumstances, the petitioner be

extended the concession of bail under Section 438 Cr.PC.

Notice of motion.

On the asking of Court, Mr. Ramdeep Pratap Singh, Sr. DAG,
Punjab notice on behalf of respondent-State.

Ms. Vaishali Thakur, Advocate has put in appearance on behalf
of the complainant and filed power of attorney in Court today, which is
taken on record subject to all just exceptions.

Learned counsel for the complainant has not disputed the
submissions made by counsel opposite with respect to the parties having
amicably settled their dispute. Learned counsel has also submitted that the
parties would be filing a petition for quashing of the complaint in question
shortly. In view of the compromise arrived at between the parties, learned
counsel does not oppose the prayer made by counsel opposite for extending
the concession of anticipatory bail to the appellant in complaint in question.

Heard learned counsel for the parties and perused the relevant
material as well as affidavit filed by the complainant.

In view of the facts and circumstances as enumerated
hereinabove, the present appeal is allowed and the appellant is extended the
concession of anticipatory bail on furnishing bail bonds/surety bonds to the
satisfaction of the trial Court/Duty Magistrate.

17.03.2023
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No