

2024:PHHC:135424



CRM-M-61818-2023 (O&M)
DATE OF DECISION : 16.10.2024

AMANDEEP ... PETITIONER
V/S

STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Parveen Chauhan, Advocate for the petitioner.

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

Mr. K.S.Saini, Advocate for the complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 227 dated 11.11.2022 under Sections 406, 498-A IPC, registered at Police Station Sadar Kharar, District SAS Nagar, Mohali.

2. The counselling report by the General Counsellor of High Court Legal Service Committee has been received wherein the terms and conditions of the settlement between the parties have been recorded. The observations by the Counsellor are that both the parties have agreed for seeking divorce and permanent alimony of Rs. 10 Lakhs has been mutually settled.

3. Today, joint statement of both the petitioner and complainant-

Mrs. Priya Sharma (author of the FIR) has been recorded in the Court. Both the parties are agreeable to the terms and conditions of the settlement and further stated that they would approach the Family Court, Chandigarh by way of filing a joint petition for divorce under Section 13-B of the Hindu Marriage Act. Today, the petitioner has submitted a demand draft bearing No. 622670 dated 11.09.2024 of Union Bank of India amounting to Rs. 5 lakhs, which has been handed over to complainant-Mrs. Priya Sharma in the Court. The copy of the demand draft is placed on record.

4. Learned counsel for the parties have also submitted that both the parties shall file a petition for quashing of the FIR on the basis of the compromise between the parties.

5. In view of the aforesaid facts and circumstances, which are not disputed by both the parties, the present petition is allowed, subject to the following conditions:

(i) that the petitioner shall join the investigation within a period of ten days from today and thereafter, as and when required by the investigating agency and in the event of arrest, he shall be admitted to bail to the satisfaction of the Investigating Officer/SHO of Police Station Sadar Kharar.

(ii) Both the parties shall remain bound by the terms and conditions of the settlement.

(iii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iv) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.

16.10.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No