

Criminal Misc. M- No. 7867 of 2017 (O&M)

Date of decision : May 31, 2017

Jitender Kumar

.....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Gaurav Singh Hooda, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

Mr. Rajesh Sethi, Advocate
for respondent No. 2.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 720 dated 10.12.2016 registered under Sections 498A, 323, 406, 34 IPC at Police Station Palam Vihar, Gurugram, Haryana.

It is submitted that during the pendency of this petition, the matter has been amicably resolved between the parties before the Mediation and Conciliation Centre of this Court on 07.04.2017. The terms and conditions were reduced into writing. The settlement/agreement dated 07.04.2017 is attached with this file. The petitioner and his wife – respondent No. 2 have decided to part ways. Petition under Section 13-B of the Hindu Marriage Act, 1955 has been filed. Part payment in terms of settlement has been received by respondent No. 2.

Learned counsel for respondent No. 2 submits that in view of the settlement between the parties, respondent No. 2 has no objection to the grant of anticipatory bail to the petitioner.

Learned counsel for the State, on instructions from SI Krishan Kumar, submits that the petitioner has joined investigation. He is not required for custodial interrogation.

There are no allegations on behalf of the State that the petitioner is likely to abscond, if released on bail.

Keeping in view the facts and circumstances especially the settlement arrived at between the parties but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 08.03.2017 is made absolute.

Liberty is, however, afforded to respondent No. 2 to move an appropriate application in case the terms and conditions of the settlement dated 07.04.2017 are not adhered to by the petitioner.

May 31, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No