



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

209

**CRA-S-3238-2024 (O&M)
Decided on : 17.03.2025**

SUMAN AND ANOTHER

. . . Petitioner(s)

Versus

STATE OF HARYANA AND ANR

. . . Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

PRESENT: Ms. Jyotika Behl, Advocate for
Mr. Vinod Pundir, Advocate
for the appellants.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Vishal Garg Narwana, Advocate,
Mr. Pradeep Singh, Advocate and
Mr. Arishdeep Mraad, Advocate for respondent No.2.

KIRTI SINGH, J. (Oral)

Challenge in the present appeal is to order dated 29.08.2024 passed by learned Additional Sessions Judge Special Court, Kaithal whereby the anticipatory/pre-arrest bail of the appellants in connection with case FIR No. 43 dated 16.08.2024 registered under Sections 323, 406, 498A, 377, 376 IPC and 3(1)(s), 3(1)(r), 3(2)(va) and 3(2)(v) SC/ST Act, at Police Station Women Kaithal, Haryana, has been dismissed.

2. In compliance with the order dated 20.02.2025 passed by this Court, a report dated 04.03.2025 has been received from the Mediation and Conciliation Centre of this Court, indicating that both parties have reached a mutual settlement on terms of their divorce settlement, including, financial matters, that is, permanent alimony of Rs 15 lacs to Bhawna (Respondent). The said amount shall be paid in four installments of Rs 3,75,000 (Rupees



Three Lacs Seventy Five Thousand only) each. Further, it was agreed that the parties will not claim anything from each other from their movable and immovable property as well as their respective businesses except for the amount mentioned above. Both the parties agreed to part ways by way of mutual divorce between Smt. Bhawna and Sh. Manmeet. Both the parties shall move appropriate applications/petitions for withdrawal of all the pending cases in the Courts of Law and in future shall not proceed against each other in any manner.

3. Learned counsel for the respondent does not dispute the factum of the compromise.

4. Learned counsel appearing for the petitioner submits that in view of the settlement reached between the parties, the first installment of ₹3,75,000/- has been handed over in the form of a demand draft to the counsel for the complainant.

5. In view of the above, the present appeal is allowed. It is directed that in case in future the appellant is required to join the investigation process, then he shall join the investigation and cooperate fully with the investigation process. In the event of arrest, the petitioner shall be released on bail by the Arresting/Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr.P.C.

6. This order should not be treated as "blanket" order. It will not be read granting the petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned ibid and will not operate in respect of any other incident that involves commission of an offence.



7. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.

8. The accused/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 or her from disclosing such facts to the Court or to any police officer.

9. The accused/petitioner shall not leave India without prior permission of the Court.

10. The accused/petitioner shall join the investigation as and when called by the police.

11. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS (erstwhile Section 439(2) of the Code of Criminal Procedure, 1973) to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

Pending application(s), if any, also stands disposed of accordingly.

(KIRTI SINGH)
JUDGE

17.03.2025

Kavita

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