

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-3860 of 2015

Date of Decision: 20.5.2015

Raj Kumar alias Raju

... Petitioner(s)

Versus

State of Punjab and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Darshan Singh.

Present: Mr. Jagjit Singh, Advocate
for the petitioner(s).

Mr. Neeraj Yadav, AAG Punjab
for the respondent.

Mr. Lakhwinder Singh Mann, Advocate
for the complainant.

Darshan Singh, J.

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (hereinafter referred to as "Cr.P.C.") for seeking anticipatory bail to the petitioner in case FIR No. 173 dated 21.12.2014, registered under Sections 498-A & 406 of the Indian Penal Code, 1860 (hereinafter referred to as "IPC") at Police Station Division No. 2, Pathankot.

2. Learned counsel for the petitioner contends that the parties have amicably settled their dispute and even their petition under Section 13-B of the Hindu Marriage Act, 1955 (hereinafter referred to as "the Act") for dissolution of their marriage by mutual consent has already been filed in the Court of the District Judge, Pathankot. He further contended that the petitioner has already joined the investigation and all

the disputes between the parties have been settled.

3. Learned counsel for the complainant has also not disputed the aforesaid factual position. Learned State counsel has also not disputed that the petitioner has already joined the investigation.

4. In view of the aforesaid circumstances, as the petitioner has already joined the investigation and is no longer required for any custodial interrogation; moreover the parties have amicably settled their matrimonial dispute and have decided to part the ways; and even the petition under Section 13-B of the Act for dissolution of their marriage by mutual consent has already been filed in the Court of the District Judge, Pathankot, the present petition is hereby allowed. The order dated 6.2.2015 granting interim pre-arrest bail to the petitioner is hereby made absolute. The petitioner shall, however join the investigation as and when called for and he will also abide by the conditions as specified under Section 438 (2) Cr.P.C.

(Darshan Singh)
Judge

May 20, 2015

“DK”