

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

Crl.Misc.No.M-39220 of 2014

Date of Decision : 22.7.2015

Anirudh Damani

....Petitioner

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr.Sanjay Vasisth, Advocate
for the petitioner.

Mr.Anmol Malik, AAG, Haryana.

Mr. Saurabh Gulia, Advocate
for respondent No.2.

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MAHESH GROVER, J.

An amount of Rs.4 lakh has been admittedly paid by
the petitioner as this fact is not disputed by the respondent No.2.

This is a petition under Section 438 Cr.P.C. praying for
release of the petitioner on bail in terms thereof in a case
registered vide FIR No.328 dated 19.9.2014 under Sections 498-
A, 406, 323, 34 IPC at Police Station Surajkund, District
Faridabad.

The allegations have surfaced on account a marital
discord where the wife levelled serious allegations of adultery
and cruelty to the petitioner.

This Court on 18.11.2014 had granted interim protection to the petitioner subject to compliance of the provisions under Section 438(2) Cr.P.C.

It is not disputed by the learned counsel for the respondents that the petitioner has since joined the investigation. If that fact is to be noticed, then for almost 8 months the petitioner has not flouted the conditions imposed in the interim order.

Having regard to the aforesaid and the fact that the petitioner has paid a substantial amount of maintenance and the dispute having arisen from a marital discord, I am of the opinion that no fruitful purpose would be served by keeping the threat of arrest alive against the petitioner.

Consequently, the interim directions dated 18.11.2014 are hereby made absolute subject to the condition that the petitioner continues to comply with the provisions of Section 438 (2) Cr.P.C.

It is to be noticed that the parties were also referred to mediation but for some reasons the efforts failed.

Petition stands allowed.

22.7.2015

(MAHESH GROVER)
JUDGE

dss