

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

Date of Decision:-20.09.2016

CRM-M No.18896 of 2015(O&M)

Jagmohan Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

AND

CRM-M No.24608 of 2016

Rajinder Singh & Anr.

.....Petitioners.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Veneet Sharma, Advocate for the Petitioner(s)
in both the petitions.

Mr. Vaibhav Sharma, Deputy Advocate General, Punjab
assisted by ASI Rajender Pal Singh.

Mr. Ritesh Pandey, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Vide this common order, both the aforementioned two petitions
seeking anticipatory bail would be disposed of as the same arises out of one
and the same FIR.

Prayer in both the aforementioned two petitions is under Section 438 Cr.PC for grant of anticipatory bail to the petitioners, namely, Jagmohan Singh -HUSBAND (in **CRM-M No.18896 of 2015**) and Dr. Rajinder Singh and Rajwant Kaur -INLAWS (in **CRM-M No.24608 of 2016**) of the complainant Mukesh in case FIR No.32 dated **07.05.2015** for offences punishable under Sections 406, 498-A of Indian Penal Code and Section 3 of Protection of Women from Domestic Violence Act, 2005 registered with Police Station Women, Amritsar City, District Amritsar. Both the accused-husband and complainant-wife being divorcees solemonized their second marriage on 11.08.2014

At the time of issuance of notice of motion by a Coordinate Bench of this Court in CRM-M No. 18896 of 2015, it was observed that the language used while lodging the case is such as it does not make much sense. The manner in which it was made is such that it is not even comprehensible as to what complainant desires to say. Consequently, interim protection was granted to the accused/petitioner-Jagmohan Singh, who subsequently has joined the investigation and has cooperated as per the State Counsel whenever he has been called.

On subsequent dates, this Court had tried to intervene in the matter and had called both the parties for some amicable settlement. At one stage, as is observed in order order dated 05.10.2015, a compromise was arrived at between the parties and consequently, inlaws including the petitioner had agreed to pay a total sum of Rs.11 lacs as full and final settlement. In pursuance to said settlement a sum of Rs.3 lacs was also paid. However, as is evident from orders of subsequent dates, compromise could not be finalized and ultimately the amount of Rs.3 lacs was refunded by the

complainant wife to the petitioner-Jagmohan Singh on 4.2.2016.

Thereafter, the parents of husband namely Dr. Rajinder Singh and Rajwant Kaur had also preferred the connected petition bearing CRM-M No.24608 of 2016 in which a coordinate Bench had granted anticipatory bail to them and both the petitions were ordered to be heard together vide order dated 29.07.2013.

Today, learned State Counsel has submitted that challan has already been presented and the petitioners have joined investigation and are no longer required for custodial interrogation.

The compromise as observed earlier has not materialized.

Consequently, in view of the fact that the petitioners in both the petitioners have joined the investigation and challan has also been presented, both the aforesaid petitions stands allowed and the interim protection/pre-arrest bail granted vide order dated 3rd of June, 2015 (in **CRM-M No.18896 of 2015**) and order dated 29th of July 2016 (in **CRM-M No.24608 of 2016**) are hereby made absolute.

Both the aforesaid petitions stand disposed of.

(JASWANT SINGH)
JUDGE

September 20, 2016
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes / No</i>
<i>Whether Reportable</i>	<i>Yes / No</i>