

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

CRM No. M-20209 of 2016

Date of decision:- August 03, 2016

Ritu Khanna

.....Petitioner..

Vs.

State of Punjab and another

....Respondents..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. Bikramjit Aroura, Advocate,
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Dikshit Garg, Advocate for
Mr. Harish Davedi, Advocate,
for respondent No.2.

JASPAL SINGH, J. (Oral)

Instant petition has been preferred under Section 438 of the Code of Criminal Procedure (for short, "Cr.P.C.") by Ritu Khanna, seeking pre-arrest bail, feeling apprehension of her arrest, in case FIR No.369, dated 07.11.2013, under Sections 406, 498-A and 506 IPC, Police Station Civil Lines Amritsar.

2. During the pendency of instant petition, following order was passed on 07.06.2016:-

“Learned counsel for the petitioner contended that this second application for grant of anticipatory bail has been filed by petitioner Ritu Khanna, the mother-in-law of the complainant, on the basis of the substantial change of circumstances. He contended that after the dismissal of her earlier application for grant of anticipatory bail, the parties

have entered into the compromise. Even the mutual divorce has been granted dissolving the marriage of the complainant and the son of the petitioner. The petitioner and her co-accused have also filed the petition for quashing of the present FIR and the proceedings arising therefrom. The said quashing petition bearing No.CRM-M-22956 of 2015 is listed for 07.07.2016. He contended that this Court has directed the parties to get their statements recorded on 02.07.2016 before the learned trial Court with respect to the compromise. He contended that the learned trial Court has issued the bailable warrants against the petitioner. He pleaded that in order to facilitate the recording of the statement of the petitioner, her arrest should be stayed and the present petition may be listed for hearing along with the quashing petition.

Learned State counsel and Mr. Harish Davedi, Advocate, learned counsel for the complainant have no objection to the plea raised by learned counsel for the petitioner.

Thus, the present petition is adjourned to 07.07.2016.

In the meanwhile, in case the petitioner appears before the learned trial Court for getting her statement recorded with respect to the compromise, she will be admitted to interim anticipatory bail to the satisfaction of the arresting officer/Court subject to the conditions that she will join the investigation as and when required; that she will not directly or indirectly interfere with the prosecution evidence; and that she will not leave India without the previous permission of the Court.”

3. On instructions from HC Rasal Singh, Police Station Civil Lines, Amritsar, learned State counsel has submitted that the petitioner has already joined the investigation and she is no more required for

further interrogation.

4. Even otherwise, the instant case pertains to matrimonial dispute, which is stated to have already settled in between the parties. The factum of compromise has also been admitted by Mr. Dikshit Garg, Advocate, who is appearing on behalf of the complainant.

5. In view of the facts narrated above, interim order dated 07.06.2016, is made absolute, subject to the conditions envisaged under Section 438 (2) Cr.P.C.

August 03, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**