

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

Crl. Misc. M-27928 of 2015 (O&M)
Date of Decision: 13.12.2016

Natwar Mani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G.S. Sandhu, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG Punjab.

Mr. G.S. Sirphikhi, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No.40 dated 07.07.2015, under Sections 498-A, 406, 506 of the Indian Penal Code, registered at Police Station Ghanie ke Bangar, District Gurdaspur, Punjab.

At the time of this petition, vide order dated 21st August, 2015, interim bail was given to the petitioner, subject to the satisfaction of the arresting officer. The matter was also referred for mediation vide an order dated 25th January, 2016. The complainant, who was present in court, submitted that she was ready to settle the dispute and reside with the

petitioner. However, it transpires that the settlement is not possible between the parties, the problem being that the husband is posted at Chandigarh, whereas, the wife is resident of and working at Batala. Several opportunities have been given to the parties to reconcile their difference, however, it seems that an amicable solution is not possible.

Learned DAG Punjab for the respondent-State, on instructions from the concerned Investigation Officer, submits that petitioner has joined the investigation and he is not required for the custodial interrogation.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 21.08.2015 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i) (ii) and (iii) of the Code of Criminal Procedure.

December 13, 2016
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No