

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

CRM-M-46671 of 2016
Date of decision: 27.12.2016

Gagan BangaPetitioner(s)
Versus
State of Punjab & another ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.Dinesh Arora, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Petitioner seeks grant of concession of anticipatory bail in FIR No.2 dated 06.01.2016, lodged under Sections 406, 498A IPC, registered at Police Station City Hoshiarpur (Annexure P1). The said relief is claim on the basis of a compromise effected *inter se* the parties on 25.03.2016 (Annexure P2).

It is stated that even petition under Section 13B of the Hindu Marriage Act, 1955 was filed and statements were recorded on 12.04.2016 (Annexures P3 & P4). However, on account of the withdrawal of consent of the complainant, the petition was dismissed on 12.11.2016 (Annexure P5). It is submitted that on account of the withdrawal of the consent, the quashing petition filed was also dismissed as withdrawn on 22.12.2016 (Annexure P6).

However, it is apparent that the petitioner has not approached Ld.Sessions Judge, Hoshiarpur and therefore, has an alternative and efficacious remedy available.

Counsel for the petitioner submits that the petitioner is residing at Shamli, Uttar Pradesh and has apprehension of arrest.

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Notice of motion.

Mr.B.M.Vinayak, DAG, Punjab accept notice on behalf of
respondent No.1.

Keeping in view the above, the present petition is disposed of,
with a direction that the petitioner will not be arrested for a period of 10
days from today, so that he can avail his alternative remedy, in accordance
with law.

27.12. 2016

sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No