

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

CRM-M-17493-2016

Date of decision: 26.09.2017

Harvinder Singh

...Petitioner

Versus

State of Punjab & anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Hardeep Singh, Advocate,
for the petitioner.

JAISHREE THAKUR, J. (ORAL)

This is a petition for grant of anticipatory bail to the petitioner in case FIR No.33 dated 21.03.2016 under Sections 406/498-A IPC, registered at Police Station Women Cell, District Patiala.

This Court was pleased to pass the following order on 25.05.2016 :-

Crl. Misc. No.17298 of 2016

This application has been moved for placing on record Annexure P-12 and exemption from filing certified copy of the same. Criminal Misc.

Application is allowed as prayed for.

Crl. Misc. No.M-17493 of 2016

Learned counsel for the petitioner submits that the marriage between the petitioner and complainant was solemnized 15 years back prior to the date of lodging of FIR and no complaint, whatsoever, was ever made. Only on the basis of general allegations, the petitioner has been implicated in the case. Neither any date nor any time has been mentioned and there is no Medico Legal Report regarding giving of beatings to the complainant. The petitioner is ready to settle the dispute with the complainant.

On oral request, complainant-Davinder Kaur daughter of Sh. Nirmal Singh resident of House No.125, KSM Road, Rajpura, District Patiala, is hereby, impleaded as respondent No.2.

Notice of motion for 27.08.2016.

Meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer subject to his depositing an amount of ` 30,000/- by way of draft in favour of the complainant, which shall further be handed over to her as litigation expenses. He shall join the investigation as and when required by the Arresting Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under :-

- (i) that the petitioner shall make himself available for interrogation before arresting officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;*
- (iii) that the petitioner shall not leave India without the prior permission of the Court.*

Parties are directed to be present in the Court on the next date of hearing.”

During the pendency of proceedings before this Court, the matter was referred for mediation and the parties have decided to reside together. Both the parties are present in Court today and admit the fact that they are residing together. Davinder Kaur-respondent No.2, who is identified by HC Mander Singh, has submitted that she is happily residing

with her husband and three children. She does not oppose the confirmation of the interim bail that was grant to the petitioner on 25.05.2016.

In view of the statement that has been made by the complainant-respondent No.2, the petition is allowed and interim order dated 25.05.2016 is hereby made absolute subject to the condition that the petitioner will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

26.09.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No.