

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

Crl. Misc. M-29812 of 2017 (O&M)
Date of Decision: September 27, 2017

Rohit Angurala

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K.S. Kahlon, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG Punjab.

Respondent No.2-complainant in person (duly identified by
ASI Resham Singh, IO)

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.23 dated 03.06.2017, under Sections 406, 498-A of the Indian Penal Code, registered at Police Station Women Amritsar, District Police Commissionerate Amritsar, District Amritsar.

Learned counsel for the petitioner contends that in fact, the matter stands compromised between the parties and in terms of the compromise, a total sum of Rs.5 lacs is to be paid regarding maintenance and alimony (present, past and future) for respondent No.2-complainant and minor daughter. In terms of the said compromise, a sum of Rs.2.50 lacs has

been paid at the time of filing of first motion petition under Section 13-B of Hindu Marriage Act. Counsel for the petitioner contends that in view of the fact that the matter stands compromised and divorce proceedings have already been initiated under the said compromise, interim bail granted to the petitioner should be confirmed.

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

Apart from above, litigation expenses for a sum of Rs.22,000/- have been handed over to respondent No.2-complainant, who is present in court and duly identified by ASI Resham Singh, Investigating Officer.

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 17.08.2017 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.

September 27, 2017
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No