

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

CRM-M-5900-2017

Date of decision: 05.09.2017

Madhu Bhateja and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. J.S. Lalli, Advocate,
for the petitioners.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Vishal Sharma Haritwal, Advocate,
for respondent No.2.

JAISHREE THAKUR, J. (ORAL)

This is a petition for grant of anticipatory bail to the petitioners in case FIR No.295 dated 03.12.2016 under Sections 323, 406, 498A IPC, registered at Police Station Cheeka, District Kaishal.

This Court was pleased to pass the following order on 22.02.2017 :-

“Counsel for the petitioners inter alia contends that though it is true that the petitioners did not join investigation in compliance with interim bail granted by the Court of Sessions but it is submitted that as the petitioners reside in Bathinda and application for bail was filed at Kaithal as the case has been registered at Cheeka, for want of necessary communication from counsel for the petitioners before the Court below they could not join the investigation. It is further submitted that the petitioners are ready to join investigation and co-operate throughout. They are also ready to rehabilitate the complainant in the matrimonial home because the marriage subsisted merely for a period of three

months. On oral request made by counsel for the petitioners, the complainant is impleaded as a respondent.

Amended memo of parties be filed in the Registry.

Notice of motion for 27.04.2017.

In the meantime, the petitioners shall join the investigation within a period of 10 days. In case, they join the investigation within the stipulated period, they shall be released on interim bail by the investigating officer subject to the following conditions:-

- (i) They shall join the investigation as and when required by the Investigating Officer.*
- (ii) They shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and*
- (iii) They shall not leave the limits of this country without prior permission of the Court.”*

Learned counsel for the petitioners submits that the petitioners have joined the investigation and a compromise has been effected between the parties. The petitioners have also filed **CRM-M-24393-2017** for quashing of the said FIR.

Learned counsel for the respondent-State confirms the aforesaid fact.

Since the petitioners have joined the investigation and compromise has been effected between the parties, the petition is allowed and interim order dated 22.02.2017 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.

05.09.2017

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes.

Whether reportable

No.