

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

(1) CRM No. M-6012 of 2017 (O&M)
Date of Decision: 14.09.2017.

Rajat Sharma ... Petitioner
Versus

State of Punjab and another
... Respondents

(2) CRM No. M-16840 of 2017 (O&M)

Birsh Bhan @ Brish Bhan and others
... Petitioners

Versus
State of Punjab and another
... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Aakash Singla, Advocate,
for the petitioners.

Mr. AS Gill, Sr. DAG Punjab
assisted by ASI Gursewak Singh.

Mr. K.K. Chaudhary, Advocate for
Mr. C.S. Bakshi, Advocate,
for respondent No.2.

JITENDRA CHAUHAN.J.(ORAL)

This order shall dispose of afore-mentioned two anticipatory bail applications filed in case FIR No. 13 dated 25.01.2017 registered under Sections 458, 120-B, 406 and 498-A IPC at Police Station Lehra, District Sangrur.

On 22.02.2017 this Court had passed the following order in CRM M-6012 of 2017:-

“Counsel for the petitioner inter alia contends that the complainant resided in the matrimonial home till 27.03.2016 and the said factum has been affirmed during police enquiry. The petitioner filed a petition under Section 9 of the Hindu Marriage Act and in the said case, notice was issued to the respondent for 13.05.2016. On 14.05.2016, she filed an application which led to registration of present FIR. It is further submitted that the petitioner is serious in his effort to rehabilitate his wife in the matrimonial home.

Notice of motion for 27.04.2017.

In the meantime, the petitioner is directed to join investigation within a period of 10 days and he shall be released on interim bail subject to the following conditions:-

1. He shall make himself available for interrogation by a police officer as and when required;
2. He 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; and
3. He shall not leave India without previous permission of the Court.”

Similarly, on 16.05.2017 order for joining investigation was passed in CRM M-16840 of 2017.

It is contended that in pursuance of the orders dated 22.02.2017 and 16.05.2017, the petitioners have joined the investigation. It is further submitted that a compromise has been reached between the parties. In pursuance of the compromise, the parties have filed petition under Section 13-B HMA before the competent Court.

Learned State counsel, on instructions, states that the petitioners have joined the investigation and they are not required for custodial interrogation.

The factum of compromise is acknowledged by learned State counsel as well as learned counsel appearing for the complainant/respondent No.2.

In view of above, the orders dated 22.02.2017 and 16.05.2017 passed by this Court is made absolute, subject to furnishing of bail-bonds/surety bonds by the petitioners to the satisfaction of the CJM/Duty Magistrate concerned.

Both the petitions stand allowed.

14.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No