

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

CRM-M-14048-2016

Date of decision: 17.05.2018

Ravi Pathak

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Amit Bhanot, Advocate,
for the petitioner.

Mr. A.S. Sandhu, Addl. A.G., Punjab.

Complainant in person with
Mr. H.S. Jugait, Advocate,
for the complainant.

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 FIR No.185 dated 31.10.2015, under Section 498-A of the Indian Penal Code, registered at Police Station Morinda.

An attempt has been made to reconcile the differences between the parties which has failed.

This Court is informed that during the pendency of the proceedings pending before the Judicial Magistrate 1st Class, Rupnagar and custody of the minor son has been handed over to the petitioner. This fact is not disputed by the complainant herein, who submits that she was not in a

position to maintain the minor child.

Heard.

In view of the new development and the fact that the minor child is now residing with the father, this Court is inclined to allow the petition and order dated 27.04.2016 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.

17.05.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)

JUDGE

Yes.

No.