

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

**CRM-M No. 20881 of 2017
DATE OF DECISION :- July 12, 2018**

Khushdeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Rajbir Attri, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Ms. Aparna Singhal, Advocate
for Mr. Avnish Mittal, Advocate for the complainant.

The matter has been settled between the petitioner and his wife-
the complainant, in terms of which a petition under Section 13B of the
Hindu Marriage Act, 1955 for dissolution of marriage by a decree of
divorce by mutual consent is said to have been filed in the Court of
competent jurisdiction at Sangrur and statements of the petitioners there are
said to have been recorded and the next date of hearing is 19.11.2018 for
recording their statements on 2nd motion.

Learned counsel for the complainant, on instructions from
complainant, who is present in the Court states that she has received a sum
of Rs. 3.50 lacs from the petitioner at the time of recording of statements in
the Court on 1st motion. Though learned counsel for the complainant states

that she does not oppose the request for grant of pre arrest bail to the petitioner but she has expressed an apprehension that he may back out from the commitment to make statement in the Court of competent jurisdiction on 2nd motion in proceedings under Section 13B of the Hindu Marriage Act, 1955. That apprehension of complainant can certainly be taken care of.

Learned State counsel on instructions from ASI Malkiat Singh states that in view of the compromise between parties the petitioner is not required by the police for further investigation. Therefore, the interim bail granted to the petitioner on 8.6.2017 is made absolute, subject to his fulfilling conditions under Section 438(2) Cr.P.C.

The petition stands allowed accordingly.

It is made clear that in case the petitioner does not appear in the Court of District Judge at Sangrur in proceedings under Section 13B of the Hindu Marriage Act between the spouses, the complainant would be at liberty to move an application in this Court for withdrawal of the concession.

(H.S. MADAAN)
JUDGE

July 12, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No