

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

Crl. Misc. M- 44741 of 2017 (O&M)
Date of Decision: August 02, 2018

Karan

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Maninder Singh Bajwa, Advocate
for the petitioner.

Ms. Seena Mand, DAG Punjab.

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. 34, dated 16.03.2017 under Sections 498-A, 506 of the Indian Penal Code, registered at Police Station Kamboj, District Amritsar Rural.

This matter was taken up on 27.11.2017, on which date the learned counsel for the petitioner had contended that the petitioner is ready to settle the dispute amicably either way, in fact, he has already preferred a petition under Section 9 of the Hindu Marriage Act seeking restitution of Conjugal Rights. The petitioner was directed to pay a sum of Rs. 11,000/- towards litigation expenses to the complainant-wife during the proceedings before the Mediator thereafter. It was referred to the Mediation and it appears that three notices has been sent to the respondent-complainant but

he did not come forward for mediation process.

The matter is taken up today.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

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

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 27.11.2017 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.

August 02, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No