

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

**CRM M-3117 of 2019
Date of Decision: May 29, 2019**

Sanjay KumarPetitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Kanishk Lakhanpal, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

This order shall dispose off first anticipatory bail application under Section 438 Cr.P.C. moved in FIR No. 272 dated 01.09.2018 under Sections 323, 341, 377 and 506 IPC, Police Station City Rajpura, District Patiala.

The brief allegations against petitioner/husband Sanjay Kumar have been levelled by wife Rajni Sharma. As per the allegations, the marriage between the parties was solemnized 1 ½ years ago prior to the registration of the present case on 01.09.2018 and on account of wayward habits of the husband, it is alleged that the

husband has been physically as well as mentally committing cruelty upon her, the present case was got registered.

Mr.Kanishik Lakhanpal, learned counsel for the petitioner *interalia* contends that it is a pure matrimonial dispute and that the parties have effected a compromise and has placed on record duly sworn attested affidavit of complainant/wife Rajni Sharma and prayed that since the matter stands resolved, accused may be granted the concession of bail.

Mr. Saurav Khurana, DAG, Punjab learned State counsel does not displace the facts that have been brought to the notice of the Court but has opposed the grant of bail on account of the seriousness of offences for which the petitioner has been hauled up.

The complainant/wife Rajni Sharma, who has been identified by the counsel for the petitioner on interaction with the Court has shown her resolve that she has settled the dispute with the petitioner/husband and has no objection if the bail is allowed to him and in support of the same admitted her duly attested affidavit placed on record.

In view of above, the present petition is allowed. In the event of arrest, the petitioner be released on *interim* bail to the satisfaction of Arresting/Investigating Officer. The petitioners shall, however, join the investigation as and when called for to do so and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C. Thereafter, will be released on regular bail upon presentation

of challan.

Disposed off.

May 29, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No