

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-38610 of 2017

Date of Decision: 15.01.2019

Mandeep Singh

...Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in case FIR No.53 dated 10.08.2017 under Sections 498-A, 323, 341 IPC registered at Police Station Bhaini Mian Khan, District Gurdaspur.

Learned counsel for the petitioner states that pursuant to order dated 29.10.2018 of this Court, the petitioner has joined investigation and his custodial interrogation is no more required. He further states that earlier, the matter was sent to Mediation and Conciliation Centre but the same could not be settled between the parties. However, now the matter has been resolved between the petitioner and the complainant and they are living together happily as husband and wife.

Learned State counsel, on instructions from ASI Pawan Kumar, does not dispute the fact that the petitioner has joined the investigation and his custody is no more required.

I have heard learned counsel for the parties.

Admittedly, the petitioner and the complainant have resolved their dispute and they are living together as husband and wife. Considering the fact that the petitioner has joined investigation and his custody is no more required, the present petition is allowed and the interim order dated 29.10.2018 is made absolute.

However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.

It is made clear that in case the petitioner raises any demand of dowry or causes any threat to the complainant, the complainant shall be entitled to revive this petition.

January 15, 2019
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No