

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

**CRM-M-38468-2020
Date of decision:21.12.2020**

Moksh Bansal

.....Petitioner

Versus

State of Punjab & another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Amit Kumar Saini, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

MANOJ BAJAJ, J. (ORAL)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No. 42 dated 27.10.2020 under Sections 406 and 498-A IPC, 1860, registered at Police Station Women, District Ludhiana. He apprehended his arrest at the hands of Police in the above said FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 26.11.2020 whereby while issuing notice of motion to the respondent-State, the arrest of the petitioner was stayed till the next date of hearing. The said order reads as under:-

“Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.42, dated 27.10.2020, under Sections 406, 498-A IPC, registered at Police Station Women, district Ludhiana.

Learned counsel for the petitioner contends that the FIR is an outcome of a matrimonial dispute between the petitioner and respondent No.2 and the petitioner is willing to settle the same. He also contends that the matter may be referred to the mediation centre.

Issue notice to the respondents.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of respondent No.1.

The petitioner shall deposit a sum of ₹25,000/- as litigation expenses in the account of respondent No.2.

List on 21.12.2020.

The arrest of the petitioner shall remain stayed till the next date of hearing.”

Learned counsel for the petitioner submits that pursuant to the order passed on 26.11.2020, a sum of ₹25,000/- has been paid to the respondent No. 2 as litigation expenses. He further states that the parties have resolved the dispute amicably and complainant-Suvidha has rejoined the company of her husband, therefore, his custodial interrogation is not necessary. He has produced the copy of compromise which is taken on record.

In view of the above development, the petition is allowed. It is ordered that in the event of his arrest by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting Officer/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer and would abide by the conditions as specified under Section 438(2) Cr.P.C.

(MANOJ BAJAJ)
JUDGE

21.12.2020
priyanka

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No