

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

**Crl. Misc. M-35636-2019 (O&M)
Date of Decision: January 14, 2020**

Siddharath Sharma

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vivek Sharma Vashisht, Advocate
for the petitioner.

Mr. Davinder Bir Singh, D.A.G., 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. 95 dated 19.06.2019 under Sections 406,498-A of the Indian Penal Code, registered at Police Station Women, Ludhiana.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and in pursuance to the directions of this Court vide order dated 29.08.2019, a compromise has been entered into between the parties. It is also contended that nothing is to be recovered from the petitioner while further submitting that in pursuance to the said compromise, the petitioner and the prosecutrix are living together as husband and wife after solemnizing the marriage.

Learned State counsel, on instructions from the Investigating

Officer, submits that though the petitioner has not joined the investigation per se, however, the petitioner and the complainant appeared before the Investigating officer and submitted an affidavit regarding the compromise that have taken place between the parties, as per which they are residing together as husband and wife.

In view of the facts that the petitioner is not required for custodial interrogation and has appeared before the IO and submitted an affidavit to the effect that the matter stands compromised between the parties, without commenting on the merits of the case, the petition is allowed and order dated 29.08.2019 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.

January 14, 2020

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**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No