

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

CRM-M- 5886-2021 (O&M)
Date of Decision: 24.08.2021
(Heard through V.C.)

Dharamjit Singh alias Dharmjit Singh

... Petitioner

VERSUS

State of Punjab and another

.... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present Mr. Vipin Mahajan, Advocate
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab

Mr. Dinesh Mahajan, Advocate for respondent No. 2.

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 FIR No. 273 dated 11.12.2020 under Sections 406, 498-A, 313, 120-B IPC registered at Police Station Dhariwal, District Gurdaspur, Punjab.

At the very outset, learned counsel for the petitioner contends that the matter stands settled inter se the parties to marriage, pursuant to which the parties have decided to part their ways and a divorce petition has already been filed.

Learned State counsel, on instructions from the Investigating Officer would contend that the petitioner did not join the investigation as there was no direction for him to join the investigation. In fact the matter was referred for mediation and his arrest was stayed.

Learned counsel appearing for the complainant admits to the factum of compromise and submits that the complainant has no objection in case the arrest of the petitioner is stayed.

I have heard learned counsel for the parties and perused the paper book.

In view of the facts that the matter stands settled between the parties and a divorce petition has already been filed, without commenting on the merits of the case, the petition is allowed and order dated 09.02.2021 granting interim protection 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.

24.08.2021

Seema Goran

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No