

Nitin Sharma

..... Petitioner

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Amit Arora, Advocate, for the petitioner.

Ms.Sakshi Bakshi, Assistant Advocate General, Punjab.

Ms. Isha Goyal, Advocate, for the complainant.

**Rajesh Bhardwaj, J. (ORAL)**

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in FIR No.17 dated 8.5.2020 registered under Sections 406, 498-A, 464, 120-B IPC at Police Station Women, District Amritsar.

It has been contended by learned counsel for the petitioner that in pursuance to the order dated 9.11.2020, the petitioner was directed to join the investigation. He submits that the matter was referred to the Mediation Centre also. He submits that after the mediation, he has the instructions that the husband is ready to rehabilitate with the wife.

Learned counsel for the complainant has vehemently opposed the same. She submits that though the petitioner has joined investigation but he is not interested in settling the dispute. She would submit that the

respondent-wife has demanded compensation of Rs.15 Lacs and also submits that this is the second marriages of the petitioner with the complainant.

Learned State counsel has submitted that the petitioner has joined the investigation.

Learned counsel for the petitioner submits that he is not in a position to pay Rs.15 Lacs as demanded and is ready to rehabilitate with the complainant-wife.

After hearing counsel for the parties, I am of the opinion that the dispute between the parties can be settled only by the trial Court on appreciation of evidence. As the petitioner has already joined the investigation, the order dated 9.11.2020 is made absolute subject to the condition under Section 438(2) Cr.P.C. The petition stands allowed.

**(RAJESH BHARDWAJ)**  
**JUDGE**

**8.10.2021**  
sharmila

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|---------------------------|---|--------|
| Whether Speaking/Reasoned | : | Yes/No |
| Whether Reportable        | : | Yes/No |