

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(103)

CRM-M-1638-2022

Date of Decision: 14.01.2022

Sushil & others

--Petitioners

Versus

State of Punjab & another

--Respondents

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

Present:- Mr. N.S. Goraya, Advocate for the petitioners.

Ms. Gunkirat Kaur, A.A.G., Punjab.

Mr. Inderpal Singh, 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.

Instant petition has been filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioners in case FIR No.144 dated 30.11.2016 under section 498-A I.P.C, registered at Police Station, Women, Ludhiana.

Learned counsel for the petitioners submits that the petitioners are residents of U.P. and they were duly granted the anticipatory bail, however, on 21.9.2021 they remained absent which was totally unintentional. Counsel submits that husband of the complainant was ill and he could not inform the petitioners about the next date and there was a communication gap between them and their counsel and due to which they could not appear on the date fixed before the Trial Court. Counsel submits that the dispute is matrimonial in nature and the same already stands

resolved with the complainant. Counsel submits that investigation in the case is complete and challan stands presented and hence no case for custodial interrogation of the petitioners is made out.

Notice of motion.

On the asking of the Court, Ms. Gunkirat Kaur, A.A.G., Punjab accepts notice on behalf of respondent no.1-State and Mr. Inderpal Singh, Advocate accepts notice on behalf of respondent no.2-complainant.

Learned counsel for the complainant affirms that the dispute stands resolved between the parties and a compromise has been arrived at.

In view of the above circumstances, present petition is disposed of with a direction to the petitioners to surrender before the court of competent jurisdiction within a period of 10 days from today. If the petitioners surrender before the court concerned within the aforesaid period and file an appropriate application for bail, the same shall be decided in accordance with law by the court concerned expeditiously. The petitioners would have interim protection from arrest till 24.1.2022.

(RAJESH BHARDWAJ)
JUDGE

14.01.2022

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No