

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

**CRM-M-2073-2022 (O&M)
Date of Decision: 01.08.2022**

**ANSHUMAN SINGH ... PETITIONER
VS.
STATE OF U.T. CHANDIGARH AND ANR .. RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Kislay Kmal, Advocate and
Mr. Anshul Sharma, Advocate
for the petitioner.

Mr. Yashwant Singh Rathore, Addl. P.P. with
Ms. Sudha Singh, Advocate
for respondent No.1-U.T.Chandigarh.

VIVEK PURI, J.(ORAL)

On 02.02.2022, the following order was passed in the main
case:-

“Anshuman Singh-petitioner is seeking anticipatory bail under Section 438 Cr.P.C in the case bearing FIR No. 86 dated 03.12.2021, under Sections 323/406/498-A IPC, 1860, registered at Women Police Station, Chandigarh.

FIR has been registered on the basis of the complaint submitted by Rhythm, the wife of the petitioner.

Learned counsel for the petitioner contends that the marriage was solemnized on 22.11.2015 and two daughters were born from the wedlock who are in custody of the petitioner. Petitioner had instituted a petition under Section 13 of Hindu Marriage Act (wrongly mentioned as Section 13-B due to typographical error) for dissolution of marriage by a decree of divorce and the FIR has been lodged as a counter blast to the said proceedings initiated by the petitioner. Moreover, at the earlier instance, the matter was referred to Mediation Centre and an amicable settlement was also effected but the complainant has backed out from the compromise/settlement deed.

Notice of motion.

Mr. Y.S. Rathore, Addl. PP, UT, Chandigarh accepts notice on behalf of the respondent-State.

Adjourned to 03.05.2022.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation. Moreover, the matrimonial dispute has been amicably settled between the parties. The petitioner and complainant have agreed to reside together in the matrimonial house.

Learned State counsel, on instructions from ASI Mohinder Singh, has stated that the petitioner has joined the investigation and his custodial interrogation is not required.

The complainant is also present in the Court and has placed on record copy of aadhar card. She has not disputed the aforesaid factual aspects as asserted by learned counsel for the petitioner. She fairly states that she will be accompanying the petitioner to the matrimonial house from this Court itself and has no objection if interim bail granted to the petitioner is made absolute.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 02.02.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

01.08.2022
smriti

(VIVEK PURI)
JUDGE

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