

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3224-2022
Date of Decision: 23.09.2022

YATI SHARMA

... PETITIONER

V/S

STATE OF PUNJAB & ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Amitabh Tewari, Advocate with
Ms. Mahima Gupta, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.
Mr. Saurabh Sharma, Advocate for respondent No.2.

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VIVEK PURI, J. (ORAL)

On 26.07.2022 following order was passed:

“The petitioner is seeking anticipatory bail in case bearing FIR No.58 dated 26.08.2021 under Sections 406 and 498-A IPC registered at Police Station Women, Patiala.

As per the report received from the Mediation and Conciliation Centre of this Court, the parties could not arrive at an amicable settlement.

In terms of the order dated 27.01.2022, it was directed that no coercive steps shall be taken against the petitioner his arrest shall remain stayed till the mediation process is underway.

Learned counsel for the petitioner contends that the FIR has been lodged on the basis of false allegations. The petitioner had shifted the residence to Mathura and the complainant refused to reside with him. The matrimonial dispute had cropped up between the parties. The petitioner has instituted a petition under Section 9 of the Hindu Marriage

Act for Restitution of Conjugal Rights. The couple has been blessed with a son, aged about 10 years, who is in the custody of the complainant.

Adjourned to 23.09.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Learned State counsel has not disputed the aforesaid factual aspect and has stated that custodial interrogation of the petitioner is not required.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 26.07.2022 is made absolute.

The petition stands allowed.

23.09.2022

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No