

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

210-2

CRM-M-4640-2022

Date of Decision: 20.05.2022

MANISH KOCHHAR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Arjun Veer Sharma, Advocate for the petitioners.

Mr. A.S. Gill, Sr. DAG, Punjab.

Mr. Hitesh Verma, Advocate for the complainant.

SUVIR SEHGAL, J.(ORAL)

On 20.04.2022, this Court passed the following order:-

“Instant petition has been filed under Section 438 of Code of Criminal Procedure, 1973 (for short 'the Code') for grant of anticipatory bail to the petitioner in case FIR No.159 dated 09.04.2021 registered under Sections 498-A, 120-B of Indian Penal Code, 1860 at Police Station City, Barnala (Annexure P-1).

Report has been received from the Mediation Centre that the matrimonial dispute between the parties has been settled. Counsel for the petitioner submits that in pursuance to the settlement, a petition seeking divorce by mutual consent has been instituted and first motion has been recorded. Still further, he submits that a petition seeking quashing of the FIR has been separately instituted before this Court.

List on 20.05.2022.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating Officer and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) of the Code.

To be heard with CRM-M-3640-2022.”

Interim bail granted to co-accused in CRM-M-3640-2022 has been made absolute by an order passed on even date.

Counsel representing the complainant has admitted the factum of compromise and the institution of the petition seeking divorce by mutual consent. He, however, submits that some of the terms of the settlement are yet to be complied with.

Upon instructions from ASI Gurmail Singh, State counsel submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation.

In view of the above, the present petition is allowed and the order dated 20.04.2022 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

However, in case, the parties fail to comply with the terms of the settlement, liberty is granted to the complainant to seek revival of this petition.

20.05.2022
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No