

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(101-1)

CRM-M-10080-2021

Date of decision: 31.05.2022

Kamlesh Kalia

...Petitioner

Versus

State of U.T., Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Rohan Garg, Advocate for
Mr. Preetinder S. Ahluwalia, Advocate
for the petitioner.

Mr. Abhinav Gupta, Addl. P.P., U.T., Chandigarh.

Mr. Arun Sharma, Advocate for respondent No.2.

...

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.19 dated 06.02.2020, registered for offences under Sections 406 and 498-A of the Indian Penal Code, 1860, at Police Station Women, Chandigarh (Annexure P-1).

Counsel for the petitioner submits that FIR (Annexure P-1) has arisen out of a matrimonial dispute between the son of the petitioner and the complainant. Counsel submits that during the pendency of the instant

petition, matrimonial dispute has been settled and a compromise dated 11.04.2022 (Annexure P-8) has been arrived at between the parties. Still further, he submits that petition under Section 13-B of the Hindu Marriage Act , 1955 has been filed and first motion has been recorded. Counsel submits that pursuant to order passed by this Court, the petitioner has joined investigation.

Upon instructions from ASI, Satyawar Singh, State Counsel has confirmed the fact that the petitioner has joined investigation, but he states that some recovery is yet to be effected from him. Counsel for the complainant has supported the petitioner.

Heard counsel for the parties.

Keeping in view the fact that the matrimonial dispute has been settled and petition for divorce by mutual consent has been instituted, this Court has no hesitation in confirming the anticipatory bail, granted to the petitioner, despite the fact that some recovery is yet to be effected.

Keeping in view of above, petition is allowed.

Order dated 06.01.2022 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

31.05.2022
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No