

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

**CRM-M-7369-2020
Date of decision : 20.07.2022**

Vinay Kumar Sharma

..... Petitioner

versus

Union Territory of Chandigarh

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Naresh Gopal Sharma, Advocate and
Mr. Vipin Kumar, Advocate
for the petitioner.

Mr. Ujwal Anand, Advocate for
Mr. Rajeev Anand, APP, UT Chandigarh.

Mr. Vivek Aggarwal, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.165 dated 17.12.2019, under Sections 406, 498-A of the Indian Penal Code, 1860, registered at Police Station Women Police Station, Chandigarh.

Vide order dated 19.02.2020 while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner has submitted that pursuant to order dated 19.02.2020, petitioner has joined the investigation and as such his interim bail may be made absolute.

Learned counsel for the complainant has opposed the prayer made by learned counsel for the petitioner. He submits that the maintenance proceedings are pending where the petitioner has paid only half of the maintenance.

Learned State counsel, on instructions, has affirmed the fact that the petitioner has joined the investigation, however, he is not cooperating. He has also submitted that the matter is under investigation.

After hearing counsel for the parties and perusing the record, the Court is of the opinion that the matter needs to be investigated and thereafter tried by the trial Court in accordance with the law. Accordingly, interim order dated 19.02.2020 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

20.07.2022
m.sharma

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