

CRM-M-7548-2020

Date of decision: 22.04.2022

AMRIK SINGH

...PETITIONER

VERSUS

STATE OF UT, CHANDIGARH AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Gaurav Gupta, Advocate
for the petitioner.

Mr. Rajiv Vij, APP, for UT, Chandigarh.

VIVEK PURI, J. (ORAL)

On 24.01.2022, the following order was passed:-

“The matter has been taken up through Video Conferencing due to Covid-19 pandemic.

The petitioner is seeking anticipatory bail in the case bearing FIR No.131, dated 13.10.2019, under Sections 406 and 498-A of the IPC, registered at Police Station Sector-17, Chandigarh.

As per the report received from the Mediation and Conciliation Centre of this Court, the matter could not be taken up for the mediation proceedings as the Centre was closed due to Covid-19 pandemic.

Learned State counsel has also pointed out that as arrest of the petitioner is stayed, he is yet to join the investigation.

Accordingly in terms of the directions issued on 20.02.2020, the petitioner and respondent No.2 are again directed to appear before the Mediation and Conciliation Centre of this Court on 17.02.2022.

Adjourned to 22.04.2022, for awaiting report.

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 marriage between the parties was solemnized 20 years ago and two children were born from the wedlock and are in custody with the petitioner. The mediation was unsuccessful. He further states that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation. Even, there is no allegation in the FIR that any jewellery was entrusted to the petitioner.

On instructions from ASI Ravinder Singh, learned State counsel has not assailed the aforesaid factual aspects and the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 24.01.2022, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition is allowed.

22.04.2022
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(VIVEK PURI)
JUDGE

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