

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

CRM-M-14151-2022

Date of Decision: 05.08.2022

AJIT SINGH

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Himanshu Garg, Advocate for
Mr. Sandeep Kumar, Advocate, for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. Ankit Chauhan, Advocate for
Mr. Monty Goyal, Advocate, for the complainant.

VIVEK PURI, J.(ORAL)

On 04.04.2022, the following order was passed:-

“Ajit Singh-petitioner is seeking anticipatory bail in case bearing FIR No. 21 dated 30.01.2022 under Sections 406/498-A IPC, registered at Women Police Station, District Ludhiana.

Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 08.02.2014. The petitioner has instituted a petition under Section 13 of Hindu Marriage Act (wrongly mentioned as under Section 13-B of Hindu Marriage Act due to typographical error) for dissolution of marriage by a decree of divorce and the present FIR has been lodged as a counterblast to it. Furthermore, the complainant has also initiated proceedings under Hindu Minority & Guardianship Act and also instituted a suit under Section 18 of Hindu Adoption & Maintenance Act for grant of maintenance. The petitioner is ready and willing to amicably settle the matrimonial dispute. It has further stated that the FIR No. 177 dated 28.11.2020 under Sections 323/324/506/148/149 IPC has been registered at P.S. PAU, Ludhiana against the petitioner at the instance of the complainant on account of marital discord.

On the oral request of the learned counsel for the petitioner, the complainant i.e. Rajdeep Kaur, daughter of Sukhdev Singh, R/o Daba road, near quality weighing machine, Kabir Nagar, District Ludhiana is impleaded as respondent No.2 in order to explore the possibility of amicable settlement.

Notice of motion.

Mr. Hittan Nehra, Addl. AG, Punjab accepts notice on behalf of the respondent-State.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 02.05.2022.

To await the report, list on 05.08.2022.

However, the petitioner shall pay a sum of Rs. 30,000/- to respondent No.2/complainant on her appearance before the Mediation and Conciliation Centre of this Court to facilitate her presence and participation during the course of mediation proceedings.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation. As per the report received from the Mediation and Conciliation Centre of this Court, the matter has been amicably settled. The petitioner and complainant have instituted a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage by mutual consent. A sum of Rs.19 lakh shall be paid on account of permanent alimony as per the terms and conditions of the settlement. The custody of minor child shall remain with the petitioner.

Learned State counsel, on instructions from ASI Harjinder Singh, has not assailed the aforesaid factual aspects and further contends that the custodial interrogation of the petitioner is not required.

Learned counsel appearing for the complainant has not assailed the factual aspects as asserted by learned counsel for the petitioner.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 04.04.2022 vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

05.08.2022

smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No