

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

**CRM-M-29749-2018
Date of Decision: 16.11.2022**

PRINCE SODHI

... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Vipin Mahajan, Advocate for the petitioners.

Mr. Hittan Nehra, Addl. A.G. Punjab.

Mr. Rishu Mahajan, Advocate for respondent
No.2/complainant.

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VIVEK PURI, J. (ORAL)

The petitioner is seeking anticipatory bail in case bearing FIR No.34 dated 28.05.2018 under Sections 406/498-A IPC registered at Police Station Women, Police District Police Commissionerate Amritsar.

On 19.07.2018 following order was passed:

“Learned counsel states that the marriage is over seven years and the complainant had not been living in matrimonial home and had returned after she filed a petition under Section 125 Cr.P.C. He further states that the parents were allowed interim bail and the petitioner is ready to join the investigation and even willing to settle.

Notice of motion.

Mr. J.S. Khattar, Advocate puts in appearance on behalf of respondent No.2. He states that a complaint was filed in the Court where the accused were summoned and thereafter on account of compromise the petition was withdrawn. The

respondent has no objection if the matter is sent for mediation.

Copy of order shown in the Court reveals that the complaint was instituted in October, 2014 and it was withdrawn within two months of its institution.

The parties are directed to appear before the Mediation Centre of this Court on 03.08.2018.

In the meanwhile, petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 sub Section 2 Clause (i)(ii) and (iii) of the Code of Criminal Procedure.

List on 13.11.2018.”

Learned counsel for the petitioner contends that the matrimonial dispute has been amicably settled between the parties in Mediation and Conciliation Center of this Court. The petitioner and the complainant have instituted a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage by mutual consent, wherein statements of the parties at the stage of first motion have been recorded. The custody of the minor child shall remain with the complainant. The petitioner shall pay a sum of Rs. 22 Lakhs to the complainant on account of permanent alimony. A sum of Rs. 11 Lakhs has already been paid. Furthermore, in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation

Learned State counsel, on instructions from ASI Inderjit Singh, has stated that the petitioner has joined the investigation and his custodial interrogation is not required.

Learned counsel for the complainant/ respondent No.2 has also

not disputed the factual assertions as put forth on behalf of the petitioner.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 19.07.2018 is made absolute.

The petition stands allowed.

16.11.2022

Janki

**(VIVEK PURI)
JUDGE**

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