

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(205)

CRM-M-19106-2021

Date of Decision: 06.01.2022

Arun Kumar @ Arun Middha & another

--Petitioners

Versus

State of UT Chandigarh

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Priyanshu Kamra, Advocate for the petitioner.

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

Mr. K.D. Sachdeva, Advocate for the complainant.

RAJESH BHARDWAJ.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The present petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioners in FIR No.0013 dated 20.1.2020 registered under Sections 406, 498-A IPC at Women Police Station, Chandigarh.

By virtue of the order dated 21.5.2021, the petitioners no.1 and 3 was directed to join investigation as petitioner no.2 was stated to have died.

It has been contended by learned counsel for the petitioners that in pursuance to the order dated 21.5.2021, the petitioners no.1 and 3 have joined the investigation and fully cooperated. Counsel submits that the matter has been amicably settled before the Mediation & Conciliation Centre of this Court. Report of the Mediator as well as the agreement arrived at between the parties has also been placed on record. Counsel

further submits that a decree of divorce has already been granted to the parties vide order dated 17.12.2021.

Learned counsel for the complainant has also affirmed the above position.

Learned State counsel on instructions from ASI Balbir Singh has endorsed the same and submitted that petitioner is no more required for further investigation.

In view of the above, the order dated 21.5.2021 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C and the petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

06.01.2022

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No