

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

(Sr. No. 203)

**CRM-M No. 19547 of 2022
Date of decision : 12.09.2022**

Vishal Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Ravi Chadda, Advocate for the petitioner.

Mr. Navneet Singh, Senior DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 70 dated 05.04.2022 registered under Sections 406 and 498-A IPC at Women Police Station, Police Commissionerate, Ludhiana, district Ludhiana.

On 09.05.2022, this Court had passed the following order : -

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in the case on account of a matrimonial discord between the petitioner and the complainant; the petitioner does not face any other criminal case; the FIR in question is a counter-blast to the complaint filed by the petitioner against the complainant on 08.02.2021 (Annexure P-2); the petitioner and the complainant are living separately for the last about 2-½ years and since that time the son of the parties is in custody of the complainant; the complainant has not permitted the petitioner to meet his son for 1 - ½ years; when the petitioner sought custody of his son, he has been falsely embroiled in the present case and that the petitioner is also ready and willing to join

and cooperate with the investigation.

Notice of motion.

*Ms. Gunkirat Kaur, Assistant Advocate General,
Punjab, accepts notice on behalf of the respondent-State.*

For arguments, adjourned to 12.09.2022.

*In the meanwhile subject to the petitioner's joining
investigation as and when called by the investigating
agency as also abiding by the other conditions provided
under Section 438(2) Cr.P.C, in the event of his arrest in
FIR No.70, dated 05.04.2022, registered under Sections
406, 498-A IPC at Police Station Women, District Police
Commissionerate Ludhiana, he shall be released on ad
interim anticipatory bail to the satisfaction of the
Arresting Officer."*

Learned counsel for the petitioner submits that after passing of the afore quoted order the petitioner and the complainant have resolved their matrimonial disputes and are presently living together happily as man and wife.

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

In the light of the afore statements made by learned counsel for the petitioner as also learned State counsel, the interim order of this Court dated 09.05.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

12.09.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No