

204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1) Date of Decision: 22.03.2022
CRM-M-19202-2020 (O&M)

VINOD KUMAR

... PETITIONER

V/S

STATE OF U.T. CHANDIGARH AND ANOTHER

... RESPONDENTS

2)

CRM-M-19261-2020

VINAY KUMAR

... PETITIONER

V/S

STATE OF F U.T. CHANDIGARH AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Rakesh Gupta, Advocate for the for the petitioner(s).

Mr. Ashu Mohan Punchhi, Public Prosecutor
Mr. Anupam Bansal, Addl. Public Prosecutor
for respondent No.1-U.T., Chandigarh.

Mr. Pradeep Sharma, Advocate for respondent No.2.
* * *

VIVEK PURI, J. (ORAL)

Petitioner(s) are seeking anticipatory bail in case bearing FIR No.
0008 dated 17.01.2020 under Sections 406, 498-A IPC, registered at Police
Station Women, Chandigarh.

On 29.09.2021 following order was passed:

“As per report dated 18.11.2020 received from the
Mediation and Conciliation Centre of this Court, parties have
arrived at an amicable settlement.

Adjourned to 25.11.2021.

Meanwhile, the petitioner is directed to join the
investigation and appear before the investigating agency as and
when called upon to do so. In the event of his arrest, he shall be

admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.PC.

Photocopy of this order be placed on the file of other connected case.”

Learned counsel for the petitioner(s) contends that FIR has been registered on account of matrimonial dispute between Vinay Kumar and the complainant. At the earlier point of time, the dispute was amicably settled and they started residing together. However, the differences again cropped up and the parties are now residing separate from each other. Furthermore, in pursuance of the interim directions issued by this Court, the petitioner(s) have joined the investigation and whatsoever articles of *Istridhan* were in their custody, have been handed over to the Investigating Officer. Furthermore, Vinay Kumar has already handed over a draft of Rs.2,00,000/- in the name of the child to the complainant, who is in the care and custody of the complainant.

Learned State counsel on the instructions of Inspector Balbir Singh has pointed out that the petitioner(s) have joined the investigation and are no more required for custodial interrogation.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner(s). Accordingly, order dated 29.09.2021 is made absolute.

The petition(s) stand allowed.

(VIVEK PURI)
JUDGE

22.03.2022
Janki

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