

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

(Sr. No. 209)

CRM-M No. 25000 of 2021

Date of decision : 14.07.2022

Khem Chand

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. P. K. Nayyar, Advocate for
Mr. Kapil Kumar, Advocate for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

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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. 131 dated 06.03.2021 registered under Sections 498-A, 406, 323 and 506 IPC at Police Station Rai, district Sonipat.

On 02.07.2021, this Court issued notice through the following order :-

“Prayer in this petition is for grant of anticipatory bail to the petitioner in a case FIR No.131/2021 dated 06.03.2021 under Sections 498-A, 406, 323, 506 IPC registered at Police Station Rae (Sonipat), Haryana.

Learned counsel contends that subsequent to the marriage of the parties, complainant-wife was not willing to live with her in-laws and as a result of which, the petitioner rented a separate house however the complainant continued throwing tantrums. It has been submitted that totally vague and false allegations have been levelled against the

petitioner and his mother (since granted the concession of interim bail by this Court vide order dated 10.06.2021 in CRM-M-22065-2021) qua the alleged harassment. It has also been submitted that though the petitioner made various attempts to reconcile with the complainant-wife, she remained adamant and had been demanding Rs.6,00,000/-.

Notice of motion.

On the oral request, complainant-wife is impleaded as respondent No.2. Let amended memo of parties be filed with the Registry of this Court. After doing so, let notice to newly added respondent No.2 be issued to appear before the Mediation and Conciliation Centre, Sonapat on 20.07.2021.

The petitioner-husband shall pay a sum of Rs.15,000/- to the respondent-wife on account of litigation expenses on her appearance before the Mediation Centre, on the date fixed.

Awaiting report from Mediation and Conciliation Centre, Sonapat for 30.09.2021.

No coercive steps be taken against the petitioner till the next date of hearing.”

Through order dated 01.02.2022, while adjourning the matter to today, this Court directed the petitioner to join investigation with a further direction to the State that in the event of the petitioner's arrest, he shall be admitted to ad interim bail. Such order reads as under :-

“As per report received from the Mediation and Conciliation Centre, Sonapat, parties failed to arrive at an amicable settlement.

Learned counsel for the petitioner submits that the FIR in question emanates from the matrimonial dispute between the parties. He further submits that the petitioner is ready to join investigation and cooperate with the investigating agency.

Adjourned to 14.07.2022.

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.P.C.”

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.

After considering the submissions made on behalf of the petitioner in the afore-quoted orders and the statement made on behalf of the State, the interim order of this Court dated 01.02.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

14.07.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No