

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(211)

CRM-M-25134-2022

Date of decision:- 18.10.2022

Baljinder Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Talim Hussain, Advocate for the petitioner.

Mr. P.S.Grewal, DAG, Punjab for State-respondent No.1.

None for respondents No.2 and 3.

...

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.0013 dated 03.04.2022, registered for offences under Sections 406 and 498-A of the Indian Penal Code, 1860, at Police Station Women Cell, Patiala, District Patiala, Punjab, Annexure P-1.

Counsel for the petitioner submits that FIR, Annexure P-1, is an outcome of a matrimonial dispute and the petitioner, who is the mother-in-law of respondent No.2, has joined the investigation pursuant to order dated 16.06.2022 passed by this Court. Counsel submits that during the pendency of the petition, matrimonial dispute has been settled by way of a

compromise and a petition seeking divorce by mutual consent has been filed. Counsel has made a reference to the statement of the parties recorded before the Family Court on 26.08.2022 in support of the divorce petition to submit that out of the agreed permanent alimony of Rs.5.50 lacs, half the amount has been paid.

Upon instructions received from ASI, Barinder, State counsel submits that the petitioner has joined the investigation, though recovery is yet to be effected from him.

As per office report, notice issued to wife-respondent No.2 as well as complainant-respondent No.3 has been served, but there is no representation on their behalf.

Keeping in view the above developments, but without commenting upon the allegations levelled in the FIR, present petition is allowed.

Order dated 16.06.2022 granting interim bail to the petitioner, is made absolute, subject to conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

18.10.2022
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No