

**273-3 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-52486-2018**

**Date of decision : 19.07.2022**

**Nitin and another**

**..... Petitioners**

**versus**

**State of Punjab**

**.....Respondent**

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

**\*\*\***

Present :- Mr. Sandeep Arora, Advocate  
for the petitioners.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. P.S. Ahluwalia, Advocate  
for the complainant.

**\*\*\***

**RAJESH BHARDWAJ, J. (Oral)**

Prayer in the present petition is for grant of anticipatory bail to the petitioners in case FIR No.101 dated 29.03.2018, under Sections 307, 364-A, 328, 323, 201, 379, 120-B of the Indian Penal Code, 1860, registered at Police Station Sultanpur Lodhi, District Kapurthala.

Vide order dated 29.11.2018 while granting interim protection, the petitioners were directed to join investigation.

Learned counsel for the petitioners has submitted that pursuant to order dated 29.11.2018, petitioners have joined the investigation and as such their interim bail may be made absolute.

The complainant is also present in person along with his counsel. The Court has interacted with counsel for the parties. After hearing both the sides, this is an agreed position that the custody of the children at present is with the complainant. With the efforts of this Court, the parties had entered into an agreement and made certain settlements

regarding payment of the maintenance which is being paid by the complainant. The complainant-husband has agreed that even after the confirmation of this interim bail, he would continue paying the maintenance @ Rs.1,00,000/- to the wife per quarter which is already fixed. It is also admitted position that this arrangement of making payment of maintenance would continue till the wife chooses to file the maintenance under Section 125 Cr.P.C. or Domestic Violence Act. It is agreed by both the sides that in case the wife resorts to seek her remedy for maintenance under the law, the arrangements of making the payment of maintenance in this petition would automatically come to an end. The parties also agreed not to unnecessarily visit each others' residence or workplace hereinafter so as to maintain harmony.

Learned State counsel, on instructions from HC Kulwinder Singh, affirmed the fact that the petitioners have joined the investigation and they are no more required for further investigation. He also submitted that the investigation is complete and challan is also presented.

After hearing counsel for the parties and perusing the record, the Courts finds that the interim order dated 29.11.2018 be made absolute. Accordingly, interim order dated 29.11.2018 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

( RAJESH BHARDWAJ )  
JUDGE

19.07.2022  
*m.sharma*

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |