

CRM-6480-2022 in/and
CRM-M-36774-2021
Date of decision: 29.04.2022

KANAV CHAWLA

...APPLICANT/PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Gurpreet Singh, Advocate
for the applicant/petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. Sandeep Arora, Advocate
for the complainant.

VIVEK PURI,J. (ORAL)CRM-6480-2022

This is an application for placing on record the affidavit dated 12.05.2021 of the complainant as Annexures P-7 to P-10.

By recording no objection from the learned State counsel and counsel for respondent No.2, the same are taken on record.

CRM application is disposed of.

Registry to tag the same at the appropriate place.

Main case

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No. 276 dated 19.12.2020, registered under Sections 323/324/34 and Sections 406/498-A/325 IPC,1860 added later on, at Police Station Division No.7, Jalandhar.

On 18.02.2022, the following order was passed:-

“On 07.09.2021, the parties were directed to appear before the Mediation and

Conciliation Centre at District Court, Jalandhar.

Accordingly, a report has been received from the Mediation and Conciliation Centre, Jalandhar that a compromise/agreement has been effected between the parties and it has been stated that both the parties will file petition under Section 13-B of Hindu Marriage Act for dissolution of marriage by mutual consent.

Learned State counsel has pointed out that the arrest of the petitioner was stayed and he is yet to join the investigation.

Adjourned to 29.04.2022.

Meanwhile, it is directed that the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation. However, the compromise/agreement which was effected between the parties could not fructify and the same has fizzled out as the complainant has backed out from the same

Learned counsel for the complainant has stated that for certain compelling reasons, the compromise could not be honoured by the complainant. However, in all his fairness, he states that he does not oppose the bail application.

On instructions from SI Sandeep Rani, learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 18.02.2022,

granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under
Section 438(2) Cr.P.C.

The petition is allowed.

29.04.2022
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(VIVEK PURI)
JUDGE

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