

KULDEEP SINGH AND ANR.

...PETITIONERS

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Abhishek Singla, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. Mohd. Jameel, Advocate
for the complainant.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioners in case FIR No.5 dated 13.10.2020, registered under Sections 406/498-A/120-B IPC, 1860 at Police Station NRI, District Sangrur.

On 16.09.20 21, the following order was passed:-

“By way of present petition, the petitioners are seeking grant of anticipatory bail, in case FIR No. 0005, dated 13.10.2020, under Sections 406, 498-A, 120-B of IPC, registered at Police Station NRI, District Sangrur (annexed as Annexure P-1). Learned counsel for the petitioners inter alia contends that totally false and fabricated allegations have been levelled against the petitioners, who happen to be parents-in-law of the complainant. He further submits that allegations of subjecting her to physical and mental harassment on account of dowry demands and further allegations of her having been assaulted and thrown out of the house on 10th January, 2020, are falsified from the fact that on the given date, the complainant and the son of the petitioners had travelled together to Ludhiana as they had an appointment with a Doctor. Learned

counsel has invited the attention of this Court to Annexure P-3, wherein, the said fact stands duly substantiated.

Notice of motion for 18.01.2022.

On the asking of the Court, Mr. Sandeep Kumar, DAG, Punjab, accepts notice on behalf of the State.

Mr. Mohd. Jameel, Advoate, has put in appearance on behalf of the complainant and filed his power of attorney in Court today, same is taken on record.

Let requisite copies of the complete paper book be supplied to the learned State counsel as well as counsel for the complainant during the course of the day.

Meanwhile, petitioners are directed to join investigation and appear before the investigating agency as and when called upon to do so. In the event of their arrest, they shall be admitted to interim bail on their furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioners shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioners contend that petitioner Nos.1 and 2 are the father-in-law and mother-in-law respectively of the complainant. The matrimonial dispute between the son of the petitioners and the complainant has also been amicably settled. The petitioners along with their son shall pay a sum of Rs. 25,00,000/- in lumpsum to the complainant. A demand draft in the sum of Rs. 12,00,000/- has already been paid. The petitioners have to file a petition for quashing of FIR on the basis of compromise and the balance amount is to be paid at the time of recording their statements in the trial Court. Furthermore, the petitioners have joined the investigation in pursuance of interim directions issued by this Court.

On instructions from ASI Raminder Singh, learned State counsel has not assailed the factual aspects and states that the petitioners have joined the

investigation and their custodial interrogation is not required.

Learned counsel for the complainant has also not assailed the factual aspects as asserted by the learned counsel for the petitioners and has stated that he has no objection for grant of anticipatory bail in view of the amicable settlement between the parties.

In view of the aforesaid submissions, the order dated 16.09.2021, granting interim bail to the petitioners are made absolute.

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

The petition is allowed.

12.05.2022
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(VIVEK PURI)
JUDGE

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