

205 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38717-2021
Date of Decision: 26.05.2022

RAKESH KUMAR ... PETITIONER
VS.
STATE OF HARYANA AND ANOTHER .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. I.S.Saggu, Advocate
for the petitioner.

Mr. Zorawar Singh Chauhan, Deputy Advocate General, Haryana.

Mr. Lalit Kumar, Advocate, for the complainant.

VIVEK PURI, J.(ORAL)

Through instant petition, the petitioner is seeking anticipatory
bail in case bearing FIR No.64 dated 29.08.2021 under Sections 406/498-
A/506 and 34 IPC, registered at Police Station Women, Fatehabad.

On 25.02.2022, the following order was passed:-

*“The matter has been taken up through video-
conferencing due to COVID-19 pandemic.*

*As per the report of the Mediator, the mediation
has been unsuccessful.*

*Learned State counsel has pointed out that the
arrest of the petitioner was stayed to enable him to
participate in the mediation process and he is yet to join
investigation.*

Adjourned to 17.05.2022.

*In the meanwhile, the petitioner is directed to join
investigation and in the event of his arrest, he shall be
released on interim bail to the satisfaction of the
Investigating Officer/Arresting Officer subject to the
conditions as envisaged under Section 438 (2) of Code of
Criminal Procedure.”*

Learned counsel for the petitioner contends that the matrimonial dispute has been amicably settled between the parties. The petitioner and respondent No.2 have instituted a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage by mutual consent wherein statements of the parties at the stage of first motion have been recorded. The petitioner shall pay a sum of Rs.10 lakhs to respondent No.2 on account of permanent alimony. Furthermore, in pursuance of interim directions, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Sheza, has asserted that the petitioner has joined the investigation and his custodial interrogation is not required.

Learned counsel for the complainant has also not disputed the aforesaid factual aspect(s) as put forth by learned counsel for the petitioner with regard to the compromise having been effected between the parties.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 25.02.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

26.05.2022
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No