

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38813-2021 (O&M)
Date of decision: 02.05.2022

Pavitarjit Sharma and others

... Petitioners

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ankur Jain, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Abnash Singh, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.0045 dated 28.08.2021 under Sections 406 & 120-B IPC, registered at Police Station NRI, SAS Nagar (Mohali).

While granting interim bail to the petitioners, following order was passed by this Court on 17.09.2021: -

“...Learned counsel for the petitioners submits that it is a matrimonial dispute and complainant-husband Mahesh Sharma has already filed a petition under Section 13 of Hindu Marriage

Act, praying for divorce. It is further submitted that present FIR is nothing, but an attempt to put pressure on the petitioners...”

Learned counsel for the petitioners submits that in pursuance of the aforesaid order, the petitioners have joined the investigation and are not required for any further investigation.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the factual position and has submitted that even a cancellation report has been presented before the Illaqa Magistrate on 14.02.2022.

Learned counsel for the complainant has, however, submitted that a complaint by way of protest petition has already been filed before the Illaqa Magistrate, which is pending consideration.

Be whatsoever, considering the fact that the petitioners have joined the investigation and the police has submitted cancellation report, this petition is allowed and the interim bail granted to the petitioners vide order dated 17.09.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It will be open for the complainant to revive this petition at a subsequent stage, if so required.

[ARVIND SINGH SANGWAN]
JUDGE

02.05.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No