

Kulwant Singh

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Ivan Singh Khosa, Advocate, for the petitioner.

Mr. B.S. Virk, Deputy Advocate General, Haryana.

Mr. Fateh Saini, Advocate, for the complainant.

Rajesh Bhardwaj, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.113 dated 21.6.2019 registered under Sections 323, 406, 498-A, 506 IPC, at Police Station Barara, District Ambala, Haryana.

By virtue of the order dated 19.11.2019, while granting interim protection, the petitioner was directed to join investigation.

It has been contended by learned counsel for the petitioner that the petitioner has joined the investigation and appeared before the Mediation Centre as well. However, the same remained unsuccessful. Report of the Mediation Centre, Ambala has also been placed on record, which would shows that the mediation remained unsuccessful.

Learned counsel for the complainant, however, has opposed the submissions made by learned counsel for the petitioner and submitted that the husband is in Italy and recovery is yet to be effected.

Learned State counsel affirms the fact that the petitioner has joined the investigation, however, recovery part is disputed.

In these circumstances, let the investigation be completed in accordance with law.

In view of the above, the order dated 19.11.2019 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C. and the petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

20.1.2022

sharmila

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No