

CRM-41681-2021 in/and
CRM-M-50131-2021
Date of decision: 14.02.2022

SUMIT ARORA

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Vaibhav Sehgal, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. G.S. Randhawa, Advocate for respondent No.2.

VIVEK PURI,J. (ORAL)CRM-41681-2021

This is an application for correction of the father's name of the petitioner.

It has been stated that the name of the father of the petitioner has been wrongly mentioned as Mahan Singh instead of Subhash Arora due to typographical/clerical error.

Notice in the application.

Ms. Ruchika Sabherwal, AAG, Punjab accepts notice on behalf of the respondent-State and Mr. G.S. Randhawa, Advocate on behalf of respondent No.2.

By recording no objection on behalf of the learned State counsel as well as learned counsel for respondent No.2, amended memo of parties is taken on record.

CRM application is disposed of.

Main case

bail to the petitioners in case FIR No. 99 dated 27.09.2021, registered under Sections 406/498-A/354-A/506/34 IPC, 1860, at P.S. Women Police Commissionerate Ludhiana.

On 01.12.2021, the following order was passed:-

“Sumit Arora-petitioner is seeking anticipatory bail in case bearing FIR No. 99 dated 27.09.2021 under Sections 406, 498-A, 354-A, 506, 34 IPC registered at Police Station Women, Police Commissionerate Ludhiana.

Petitioner is the husband of the complainant and FIR has been registered on account of matrimonial dispute between the parties. Learned counsel for the petitioner contends that amicable settlement has been effected between the parties in terms of the Memorandum of Settlement (Annexure P-2). A sum of Rs. 19 Lakhs was to be paid to the complainant and an FDR in the sum of Rs. 8 Lakhs was to be prepared in the name of the minor child. A sum of Rs. 10 Lakhs was to be paid in the petition under Section 13-B of Hindu Marriage Act at the stage of first motion. The petition under Section 13-B of Hindu Marriage Act for dissolution of marriage has been instituted. A draft of Rs.10 Lakhs, copy whereof is Annexure P-3, in the name of the complainant has also been prepared but the statements have not been recorded at the stage of first motion as some more modalities are being settled for the benefit of the minor child. The coaccused Prince Kumar Arora i.e. brother of the petitioner has been granted pre-arrest bail.

Notice of motion for 14.02.2022.

Meanwhile, 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 the

interim directions issued by this Court, the petitioner has joined the investigation and his custodial interrogation is not required and furthermore, the matter has been amicably settled between the parties.

On instructions from ASI Joginder Singh, learned State counsel has not assailed the aforesaid factual aspects and further states that the petitioner has joined the investigation and his custodial interrogation is not required.

Learned counsel for respondent No.2/complainant has admitted the fact of compromise between the parties.

In view of the aforesaid submissions, the order dated 01.12.2021, 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.

14.02.2022
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(VIVEK PURI)
JUDGE

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