

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

203

CRM-M-52383-2021

Date of Decision:31.10.2022

SARABJIT SINGH AND ANR

...PETITIONERS

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Arnav Kumar, Advocate for the petitioners.

Mr. P.S. Grewal, DAG, Punjab.

Mr. P.S. Sekhon, Advocate for

Mr. L.S. Sekhon, Advocate for the complainant.

SUVIR SEHGAL, J.(ORAL)

Vide the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioners seek anticipatory bail in case FIR No.43 dated 10.11.2021, registered for offences under Sections 498-A and 34 of IPC, 1860, at Police Station Women Cell, Bathinda, Annexure P-1.

FIR, Annexure P-1, is an outcome of a matrimonial dispute. Vide order dated 17.02.2022, while directing the petitioners to join investigation, matter was referred to the Mediation and Conciliation Centre of this Court, but the mediation proceedings could not fructify.

Counsel for the petitioners submits that petitioner No.1 is the husband and petitioner No.2 is mother-in-law of the complainant and without admitting the allegations and in order to show their *bona fides*, they have returned the articles as deposed by them in the additional affidavit dated 14.02.2022, Annexure P-8.

Upon instructions from SI Parminder Singh, State counsel submits that the petitioners have joined the investigation, though some more recovery is to be effected from them.

Countering the submission of the State counsel, counsel for the petitioners submits that offence under Section 406 of IPC has not been invoked.

In view of the above, without commenting on the merits of the allegations, present petition is allowed and order dated 17.02.2022 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

31.10.2022
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(SUVIR SEHGAL)
JUDGE

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