

211 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-1170-2020

Date of Decision: 28.07.2022

PRABHJOT SINGH

... PETITIONER

VS.

STATE OF PUNJAB AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr.R.S.Bassi, Advocate
for the petitioner.

Mr. R.S.Khaira, AAG, Punjab.

Ms. Pratula Sethi, Advocate for
Mr. Rahul Bhargava, Advocate
for respondent No.2.

VIVEK PURI, J.(ORAL)

On 01.07.2021, following order was passed:-

“Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 105 dated 22.10.2019 under Section 498-A IPC (Section 406 IPC added later on) registered at Police Station Kalanaur, District Gurdaspur, Punjab.

The learned State counsel at the outset has apprised this court that the matter has been amicably resolved between the parties and a petition seeking quashing of the aforesaid FIR on the basis of compromise has also been filed before this court which is pending consideration.

In the wake of submissions made by the learned State counsel, the petitioner is directed to join the investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.PC.

Adjourned to 06.10.2021.”

Learned counsel for the petitioner contends that the matrimonial dispute has been amicably settled between the parties in terms of settlement effected in the Mediation and Conciliation Centre of this Court. He further contends that in pursuance of amicable settlement, the marriage between the petitioner and respondent No.2/complainant has been dissolved by a decree of divorce by mutual consent under Section 13-B of the Hindu Marriage Act and the entire amount of permanent alimony has already been paid to respondent No.2/complainant. He further states that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation. Although, on 11.01.2022, the interim order was vacated on account of non-appearance of the petitioner or counsel, but the petitioner had joined the investigation at the earlier instance.

Learned State counsel, on instructions from ASI Madan Gopal, has not disputed the aforesaid factual aspects and states that the petitioner has joined the investigation and his custodial interrogation is not required.

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 01.07.2021, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

28.07.2022
smriti

(VIVEK PURI)
JUDGE

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