

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

CRM-M-9825-2023

DECIDED ON: 24.02.2023

AMARPREET SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Inderpal Singh Parmar, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

This is a petition under Section 438 Cr.P.C., seeking anticipatory bail to the petitioner in FIR No.129, dated 03.12.2022, under Section 406 of the IPC and Section 66(D) of Information Technology Act, 2000, registered at Police Station Dehlon, District Police Commissionerate, Ludhiana.

Learned counsel for the petitioner has vehemently contented that the present FIR is only a result of vengeance and certain misunderstanding between the petitioner and complainant-respondent No.2, who is his ex-wife. He also asserts that now the parties have settled the dispute amicably and a compromise deed dated 17.01.2023 (Annexure P-4), in this regard has been reduced into writing.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of the respondent-State, who on instructions from SI Manjit Kaur submits that the dispute is between the petitioner and his ex-wife i.e., respondent No.2 and has not controverted the factum of compromise. He further submits that custodial interrogation of the petitioner is not required. It is also stated that in fact the Investigating Agency is going to file a cancellation report in the aforesaid FIR on the basis of compromise.

Mr. Amarpreet Singh, Advocate has put in appearance on behalf

of the complainant-respondent No.2 and has filed Power of Attorney, which is taken on record. He does not dispute the factum of compromise (Annexure P-4) and submits that he has no objection in case the petitioner is granted the concession of anticipatory bail.

It has been pointed out by learned counsel for the petitioner that another petition bearing No. CRM-M-9979-2023, preferred by the petitioner seeking quashing of the aforesaid FIR on the basis of compromise dated 17.01.2023 (Annexure P-4), has been listed for today.

In the light of the said fact, this Court is of the considered view that no fruitful purpose would be served by keeping this petition any further pending just to ensure the joining of the petitioner, as the parties have already settled the matter amicably.

In view of no objection suffered by learned counsel for the complainant-respondent-2 and the fact that the parties are ready and willing to live at piece without any interference in each others life added with the fact that the marriage between the petitioner and respondent No.2 have dissolved by way of decree of divorce from the Court of law, the petitioner is directed to be released on anticipatory bail subject to the satisfaction of Arresting Officer/Investigating Officer, on his joining investigation as and when called for and cooperate in investigation and also shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

The respondent-State shall be at liberty to move an appropriate application in case the petitioner did not join the investigation or co-operate with the Investigating Officer.

The present petition is disposed of accordingly.

(SANDEEP MOUDGIL)
JUDGE

24.02.2023

Poonam Negi

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>