

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**210****CRM-M No.15189 of 2023****Date of Decision : 14.12.2023**

Gagandeep @ Gagandeep Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Manu Loona, Advocate for the petitioner.

Mr. Harjinder Singh Sidhu, AAG Punjab.

Ms. Anisha Rani, Advocate for the complainant.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.26 dated 10.02.2023 under Sections 498-A, 406, 323, 506 and 34 of the Indian Penal Code, 1860 registered at Police Station Sadar Fazilka, District Fazilka.

2. On 24.03.2023 the following order was passed :

“The petitioner Gagandeep @ Gagandeep Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.26, dated 10.02.2023 under Sections 498-A, 406, 323, 506 and 34 IPC, registered at Police Station Sadar Fazilka, District Fazilka.

Learned counsel for the petitioner submits that the petitioner is ready to join the investigation and to recover the dowry articles given in the marriage.

Notice of motion.

On the asking of this Court, Mr. Kunwarbir Singh, Assistant A.G. Punjab accepts notice on behalf of the State and seeks time to file status report. May do so well before the date fixed.

Adjourned to 09.05.2023.

Considering the aforesaid facts, arrest of the petitioner is stayed, subject to the petitioner joining the investigation, till the next date of hearing.”

3. Learned counsel for the petitioner states that the petitioner has since joined investigation and fully cooperated. Learned counsel for the petitioner has further contended that the parties have since compromised the matter and have filed a petition being CRM-M-48492-2023 for quashing of the FIR on the basis of compromise and that the parties have also filed a petition under Section 13-B of the Hindu Marriage Act, 1955 in which their statements of the first motion stand recorded.

4. Learned counsel for the complainant states that the parties have since compromised the matter and that she would have no objection if the present petition is allowed and the order granting interim anticipatory bail to the petitioner is made absolute.

5. Learned counsel for the State on instructions from ASI Bhagwan Chand has stated that the petitioner has since joined investigation and fully cooperated and that he is no longer required for further custodial

interrogation as of now.

6. In view of the above, the order dated 24.03.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

7. Disposed off accordingly. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

14.12.2023

jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO