

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23813-2022 (O&M)
Date of Decision : 13.09.2023

Balwinder Kumar

....Petitioner

VERSUS

State of Punjab and Another

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sachin Ohri, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab for respondent No.1.

None for respondent No.2.

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.0022 dated 11.03.2022 registered under Sections 498-A of the Indian Penal Code, 1860 at Police Station Kotli Surat Mallian, District Batala.

2. On 01.06.2022 the following order was passed :

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.0022 dated 11.03.2022, registered for offence under Section 498-A of the Indian

Penal Code, 1860, at Police Station Kotli Surat Mallian, District Batala (Annexure P-1).

Counsel for the petitioner submits that FIR is an outcome of a marital incompatibility and there is a possibility of settlement between the parties.

Issue notice to the respondents for 29.09.2022.

On asking of the Court, Mr. A.S.Gill, Senior Deputy Advocate General, Punjab accepts notice on behalf of the State-respondent No.1.

Respondent No.2 be served for the date fixed.

On the day, complainant-respondent No.2 causes appearance before the Court, the petitioner will pay a sum of Rs.25,000/- to her as travelling and litigation expenses.

In the meanwhile, arrest of the petitioner shall remain stayed till the next date.”

3. Vide order dated 13.07.2023, the petitioner was directed to re-join the investigation.
4. Learned counsel for the petitioner states that the petitioner has since joined investigation and has fully cooperated.
5. No one has put in appearance on behalf of respondent No.2, despite being served.

6. Learned counsel for the State, on instructions from ASI Kulwant Singh, states that the petitioner has since joined investigation and has fully co-operated and that he is no longer required for further custodial interrogation as of now.

7. In view of the above, orders dated 01.06.2022 and 13.07.2023 are made absolute. The petitioner shall, however, join investigation as and when called for. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

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

September 13, 2023
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(ALKA SARIN)
JUDGE

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