

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

209

CRM-M-23991-2022

Date of Decision: 25.04.2023

Rupinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Anil Kumar Spehia, Advocate for the petitioner

Mr. Vipin Pal Yadav, Addl. AG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. On 02.06.2022, 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.113 dated 17.04.2022, registered for offence under Section 498-A of the Indian Penal Code, 1860, at Police Station City Kharar, District SAS Nagar, Punjab (Annexure P-1).

Counsel for the petitioner contends that a matrimonial dispute has arisen between the petitioner and complainant-wife after 12 years of the marriage. He submits that as there are two children out of wedlock, petitioner is willing to explore the possibility of settlement with the complainant-wife and is willing to bear travelling and litigation expenses on her behalf.

Notice of motion.

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

Respondent No.2 be served for 17.10.2022.

On the day, respondent No.2 causes appearance before this Court, the petitioner will pay Rs.35,000/- to her by way of travelling and litigation expenses.

Meanwhile, the petitioner shall join the investigation and would appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

2. By order dated 05.12.2022, the matter was referred to Mediation and Conciliation Centre of this Court. As per the report of Mediator, the parties have entered into a compromise and executed settlement deed dated 28.03.2023.

3. Learned State counsel submits that petitioner has joined investigation and no custodial interrogation is required.

4. In view of the above facts and circumstances, the petition is allowed and the interim bail granted to the petitioner vide order dated 02.06.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

5. If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

25.04.2023
Mohit Kumar

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