

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

204

CRM-M-32907-2022 (O&M)

Date of Decision : 07.11.2023

JATINDER SINGH

.... Petitioner

VERSUS

STATE OF PUNJAB & ANR.

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Munish Puri, Advocate for the petitioner.

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

Mr. R.S. Manhas, Advocate for respondent No.2.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.151 dated 26.06.2022 under Sections 498-A, 506 of the Indian Penal Code, 1860 registered at Police Station City Gurdaspur, District Gurdaspur.

2. On 29.07.2022 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.151 dated 26.06.2022, registered for offences under Sections 498-A and 506 of the Indian Penal Code, 1860, at Police Station City Gurdaspur, District Gurdaspur, Annexure P-1.

By referring to Agreements dated 21.08.2020 and

26.08.2020, Annexures P-3 and P-4, respectively, counsel for the petitioner submits that matrimonial dispute between the parties was settled, however, thereafter, the complainant had second thoughts and instituted a petition under the Protection of Women from Domestic Violence Act, 2005 and lodged the FIR, Annexure P-1.

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 the date fixed.

List on 19.09.2022.

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

3. Vide order dated 16.02.2023, the parties were directed to appear before the Mediation and Conciliation Centre of this Court, however, a settlement could not be arrived at between the parties. Thereafter, vide order dated 04.05.2023, the petitioner had been directed to join investigation and cooperate with the investigating agency.

4. Learned counsel for the petitioner would contend that pursuant to the said order the petitioner has joined investigation and has fully cooperated.

5. Learned counsel for the State, on instructions from SI Mohan

Lal, has stated that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

6. In view of the above, the orders dated 29.07.2022 and 04.05.2023 are 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.

07.11.2023
Aman Jain

(ALKA SARIN)
JUDGE

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