

211/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45505-2023
Date of Decision: 24.11.2023

ATMA SINGH AND ANOTHER

... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sarbjit Singh, Advocate for the petitioners.

Ms. Ruchika Sabherwal, DAG Punjab.

Mr. L.S.Lakhanpal, Advocate for respondent No.2.

* * * *

VIVEK PURI, J. (ORAL)

1. On 13.09.2023, following order was passed:

“1. Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioners in case FIR No.149 dated 17.08.2023 registered under Sections 498-A/406/323 IPC,1860 at Police Station Dinanagar, District Gurdaspur.

2. Learned counsel for the petitioners contend that petitioner No.1 and 2 are the father-in-law and mother-in-law respectively of respondent No.2. The marriage of the son of the petitioners was solemnized with respondent No.2 on 17.02.2022. The allegations levelled against the petitioners are to the effect that they tried to kill respondent No.2 by throttling her and the said allegation is not supported with any medical evidence. In fact, respondent No.2 had voluntarily left the matrimonial house on 12.04.2023 and had taken the articles of *Istri Dhan* with her. She had submitted an undertaking Annexure P-1 in this regard. Moreover, the son of the petitioners has also instituted a petition under Section 9 of Hindu Marriage Act for restitution for conjugal rights prior to the registration of the FIR.

3. Notice of motion.

4. Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State.

5. Adjourned to 24.11.2023.

6. Meanwhile, it is directed that in the event of arrest, the

petitioners be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that they join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

2. Learned counsel for the petitioners contend that in pursuance of the interim directions, the petitioners have joined the investigation. Moreover, the matrimonial dispute has been amicably settled between the parties in the Mediation and Conciliation Center of this Court as the matter was referred to the Mediator in the connected matter bearing CRM-M-49743-2023 submitted on behalf of the husband of the complainant.
3. Learned State counsel, on instructions from ASI Naresh Kumar, has submitted that the petitioners have joined the investigation and their custodial interrogation is not required.
4. Learned counsel for the complainant has also admitted the fact of amicable settlement between the parties.
5. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 13.09.2023 is made absolute.

24.11.2023

Janki

**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No