

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**206****CRM-M No.56864 of 2022 (O&M)
Date of Decision: 11.09.2023**

Joginder Singh and Others

....Petitioners

VERSUS

State of Punjab and Another

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

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

Mr. Amrit Paul Nahar, Advocate for

Ms. Deepti Rampal, Advocate 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 petitioners in FIR No.110 dated 11.11.2022 under Sections 354, 452, 506, 323, 120-B, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station Sadar Pathankot, District Pathankot.

2. On 17.07.2023 the following order was passed :

“Learned counsel for the petitioners submits that the petitioners are distant relatives of the husband of the complainant and due to matrimonial discord, the present FIR was lodged. Thereafter, the complainant refused to get herself medically examined. It is further the contention that now the complainant and her husband have started living together and have also been blessed with a child and that the petitioners are unnecessarily being dragged in the present FIR.

Status-report has been received.

List on 11.09.2023.

Meanwhile, the petitioners are directed to join investigation as and when called for. In the event of arrest, the petitioners shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioners shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioners would contend that the parties have since compromised the matter and a petition being CRM-M-18199-2023 for quashing of the FIR on the basis of the compromise has been filed by the petitioners.

4. Learned State counsel is not in a position to deny the fact that the parties have since compromised the matter.

5. In view of the above, the order dated 17.07.2023 is made absolute. The petitioners shall, however, join investigation as and when called. The petitioners shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

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

11.09.2023
jk

(ALKA SARIN)
JUDGE

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