



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

101

**CRM-M-64433-2024 (O&M)
Date of Decision : 09.01.2025**

KARAM CHAND Petitioner

VERSUS

STATE OF PUNJAB AND ANR Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Lalit Singla, Advocate and
Ms. Varsha Sharma, Advocate for the petitioner.

Mr. Pawan Kumar, DAG Punjab for respondent No.1.

Mr. Gopal Singh Nahel, Advocate for respondent No.2.

ALKA SARIN, J. (ORAL)

1. This is the second petition filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.0083 dated 27.05.2023 under Sections 323, 498-A, 406, 307, 506 and 34 of the Indian Penal Code, 1860 registered at Police Station Bhawanigarh, District Sangrur. The first petition being CRM-M-36916-2023 was dismissed on merits by this Court vide order dated 10.08.2023.
2. Learned counsel for the petitioner has contended that the petitioner in the present case is the father-in-law of respondent No.2-complainant and the matter has since been settled between the parties. It is further the contention that divorce by way of mutual consent has also been granted to respondent No.2-complainant and her husband in a petition filed by them under Section 13-B of the Hindu Marriage Act, 1955 and hence the

petitioner herein, who is the father-in-law, may be granted the concession of pre-arrest bail.

3. Notice of motion.

4. Mr. Pawan Kumar, DAG Punjab has filed a status report by way of an affidavit dated 08.01.2025 of Rahul Kaushal, PPS, Deputy Superintendent of Police, Sub-Division, Bhawanigarh, District Sangrur, which is taken on record. Registry to scan and tag the same at the appropriate place. It has been stated in the status report that the parties have since compromised. Learned State counsel on instructions from the concerned Investigating Officer has made a statement that the petitioner has neither been declared a proclaimed offender nor any such proceedings have been initiated and/nor pending against him.

5. Mr. Gopal Singh Nahel, Advocate appears and accepts notice on behalf of respondent No.2-complainant. He states that respondent No.2-complainant has no objection if the present petition is allowed and the petitioner herein is granted the concession of pre-arrest bail.

6. Heard.

7. In the present case respondent No.2-complainant and her husband have since entered into a compromise and have infact been granted divorce by way of mutual consent in a petition filed under Section 13-B of the Hindu Marriage Act, 1955. The petitioner herein is the father-in-law of respondent No.2-complainant. Today counsel for respondent No.2-complainant has made a statement that respondent No.2-complainant would have no objection if the petitioner is granted pre-arrest bail.

8. In view of the above, the present petition is allowed and it is directed that in case of arrest of the petitioner in connection with FIR No.0083 dated 27.05.2023 under Sections 323, 498-A, 406, 307, 506 and 34 of the Indian Penal Code, 1860 registered at Police Station Bhawanigarh, District Sangrur, he be admitted to bail to the satisfaction of the Arresting Officer/Investigating Officer/SHO concerned subject to him joining the investigation with the Investigating Agency as and when called upon to do so and compliance of the conditions as contained under Section 438(2) of the Code of Criminal Procedure, 1973 [now Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023].

9. Pending applications, if any, also stand disposed off.

09.01.2025

Aman Jain

(ALKA SARIN)

JUDGE

*NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No*