

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-25511 of 2014
Date of Decision:- 27.11.2015

Gagandeep Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

Present: Ms. G.K. Mann, Advocate, for the petitioner.

**Mr. J.S. Sekhon, Assistant Advocate General, Punjab
for the State.**

**Mr. T.P.S. Tung, Advocate
for respondent No.2.**

MEHINDER SINGH SULLAR, J.(oral)

Petitioner has preferred the instant petition for the grant of anticipatory bail, in a case registered against him, vide FIR No.57 dated 12.04.2014, on accusation of having committed the offences punishable under Sections 406 and 498-A IPC, by the police of Police Station Civil Lines Batala, District Gurdaspur.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after considering the entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed by this Court on July 31, 2014: -

“Learned counsel, inter alia, contended that the marriage of petitioner with complainant Ravinder Kaur daughter of Palvinderjit Singh (respondent No.2) was a love/run away marriage against the wishes of their parents. After the solemnization of their marriage and apprehending danger to their lives, they filed a joint protection petition in the High Court. The argument is that although the petitioner is not at all fault but still he is ready to resume cohabitation and amicably settled the disputes.

Heard.

Notice of motion be issued to the respondents, returnable for 11.08.2014.

Meanwhile, the petitioner is directed to join the investigation before the next date of hearing. In the event of his arrest, the Arresting Officer would admit him to bail on his furnishing adequate bail and surety bonds in the sum of Rs. 25,000/- to his satisfaction.”

5. At the very outset, on instructions from ASI Harpal Singh, learned State Counsel has acknowledged the relevant factual matrix and submitted that the petitioner has already joined the investigation. He is no longer required for further interrogation, at this stage. There is no history of his previous involvement in any other criminal case. Moreover, all the offences alleged against the accused are triable by the Court of Magistrate. Even, since the prosecution has not yet submitted the final police report (challan) against the accused, so, the final conclusion of trial will naturally take a long time. Not only that, the parties are stated to have amicably settled the disputes before the Mediation and Conciliation Centre of this Court, by means of settlement deed dated 04.12.2014 (Flag 'A').

6. In the light of aforesaid reasons and taking into consideration the totality of facts and circumstances, emanating from the record, as

discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the course of trial, the instant petition for anticipatory bail is accepted. The interim bail already granted to the petitioner, by virtue of indicated order of this Court, is hereby made absolute, subject to the compliance of the conditions, as contemplated under Section 438(2) Cr.P.C.

Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits of the case, as the same has been so recorded for a limited purpose of deciding the present petition for anticipatory bail. At the same time, in case, the petitioner does not cooperate, join the investigation or fails to comply with the terms & conditions of the pointed settlement deed, then the prosecution/complainant would be at liberty to move a petition for cancellation of his bail, in this Court.

January 27, 2015
naresh.k

(**MEHINDER SINGH SULLAR**)
JUDGE