

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

CRM No.M-30287 of 2014 (O&M)

Date of decision: 01.04.2015

Gourav Verma

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. S.S. Ranghi, Advocate for the petitioner.

Mr. Nikhil K. Chopra, DAG, Punjab.

Mr. Vishal Goel, Advocate for
Mr. J.S. Thind, Advocate for the complainant.

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TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking the concession of pre-arrest bail to the petitioner in case FIR No.249 dated 05.07.2014, under Section 498-A IPC registered at Police Station Civil Lines, Amritsar City, District Amritsar.

On 03.09.2014, while issuing notice of motion, the following order was passed by this Court:

“Learned counsel for the petitioner contends that petitioner as well as his other family members were given beatings by the family members of the complainant and a compromise was also effected between the parties, which was submitted before the police. Learned counsel further contends that still there is a possibility of compromise between the parties and the petitioner is ready to join the investigation and to return dowry articles, if any.

Notice of motion for 7.10.2014.

In the event of arrest, the petitioner shall be released on interim bail to the satisfaction of the Investigating Officer. He

shall join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i)that the petitioner shall make himself available for interrogation before investigating officer as and when required;

(ii)that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;

(iii)that the petitioner shall not leave India without the prior permission of the Court.”

Thereafter, on 07.10.2014, this Court had directed the petitioner as well as the complainant to appear before the Mediation and Conciliation Centre of this Court to explore the possibility of an amicable settlement.

A report dated 31.10.2014 of Mr. H.S. Grewal, Mediator has been placed on record. In terms thereof, a compromise has been arrived at between the parties and they have decided to part ways.

Learned counsel appearing for the petitioner would submit that the petitioner has already acted in terms of the compromise that has been recorded and even a petition under Section 13-B of the Hindu Marriage, Act seeking dissolution of marriage by way of mutual consent has been filed. Such factual position is not disputed by counsel appearing for the complainant.

Even learned State counsel upon instructions from SI Harpreet Singh would apprise the Court that the petitioner after passing notice of motion order dated 03.09.2014 had joined investigation.

Under such circumstances, custodial interrogation of the

petitioner would not be warranted.

Petition is allowed. Order dated 03.09.2014 passed by this Court is made absolute.

It is, however, observed that the parties would remain bound by the settlement/agreement arrived at before the Mediation and Conciliation Centre of this Court.

Disposed of.

01.04.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**