

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

CRM No. M-4271 of 2017.

Date of Decision: 29.09.2017.

Harjinder Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Petitioner present in person with
Mr. B.P. Singh Gill, Advocate.

Mr. N.K. Banka, DAG, Punjab.

Respondent No.2 present in person with
Mr. Gaurav Singla, Advocate.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 438 Cr.P.C seeking anticipatory bail in case FIR No.01 dated 04.01.2017, registered under Sections 406, 498-A and 506 IPC at Police Station Women Jagraon, District Ludhiana (Rural).

On 04.08.2017, this Court had passed the following order:-

“Pursuant to the order dated 21.04.2017, the parties are present in Court today and both of them are agreeable that the matter be referred to the Mediation. An offer has also been made by counsel for the petitioner, on instructions from the petitioner, that the petitioner is ready to build a separate residence/accommodation so that the wife and child can reside with him. Let all these matters be discussed before the Mediator.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court today itself i.e. 04.08.2017.

Let file of this case be sent to the Mediation and Conciliation Centre

forthwith.

Interim order to continue.”

However, till date, no effective step has been taken towards the execution of the statement made before this Court.

The petitioner along with his father and the complainant along with her father heard in person.

The petitioner asserts that his family owns around six acres of land, therefore, a proposal was put to him either to construct a house or to pay Rs.10 lakh towards the final settlement. However, this assertion of the petitioner to the extent of ownership of six acres of land is controverted by the learned counsel for respondent No.2 and he states that the petitioner, in fact, is the only son of his parents and the total holding of the family is more than ten acres of land.

This Court is of the opinion that inaction in deference to the statement made by the petitioner on 04.08.2017 and further the refusal to the proposed settlement is a clear indication that the present petition lacks *bonafide*, therefore, the same deserves to be dismissed.

Ordered accordingly.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

29.09.2017.

SN

(JITENDRA CHAUHAN)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No