

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

CRM-M-7363-2017

Date of decision: 16.08.2017

Gurpreet Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. N.S. Shekhawat, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. G.S. Madaan, Advocate,
for complainant-respondent No.2.

JAISHREE THAKUR, J. (ORAL)

The instant petition under Section 438 Cr.P.C. has been filed by the petitioner for grant of anticipatory bail in case FIR No. 753 dated 30.12.2016 under Sections 406, 498-A, 506 IPC, registered at Police Station Civil Yamuna Nagar.

This Court was pleased to pass the following order on 06.03.2017 :-

“Counsel for the petitioner inter alia contends that list (Annexure P8) was submitted by the complainant party and the petitioner has submitted his remarks with regard to articles of dowry which are in possession of the petitioner. It is further submitted that the petitioner is ready to get effect recovery of those articles and further would return an amount of Rs.7,00,000/- received by way of RTGS before marriage.

Counsel for the petitioner has further submitted that there appears to be no possibility of resuming cohabitation in view of the allegations levelled by the complainant and differences created between the parties but the petitioner is ready to settle the dispute on payment of reasonable

amount towards maintenance and permanent alimony, etc.

Notice of motion.

Ms. Dimple Jain, AAG, Haryana accepts notice on behalf of respondent No.1 and Mr. G.S. Madaan, Advocate has appeared on behalf of respondent No.2.

Counsel for the petitioner is directed to supply a copy of paperbook to each of the respondents during course of the day.

In the meantime, the petitioner is directed to join investigation within a period of 10 days and he shall be released on interim bail subject to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He 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; and*
- 3. He shall not leave India without previous permission of the Court.*

Adjourned to 25.05.2017.

It is clarified that this order has been made by this Court without taking into consideration any submission that may be made by counsel for the complainant after joining of investigation by the petitioner.”

This Court again on 25.05.2017, was pleased to pass the following order :-

“Counsel for the petitioner has submitted that the petitioner has already joined investigation in compliance with interim bail granted by this Court on 06.03.2017 and dowry articles have been recovered.

Counsel for the State concedes to joining of investigation by the petitioner but contests that entire articles claimed by the complainant have been recovered. Counsel for the complainant/respondent No.2 would urge that she is ready to go back to the matrimonial home as there is a child born out of the wedlock.

Counsel for the petitioner would state that the petitioner is ready to settle the dispute by parting ways.

In order to explore possibility of an amicable settlement between the parties, the petitioner and the complainant are directed to appear before the Mediator in the Mediation and Conciliation Centre of this

Court on 02.06.2017.

The petitioner shall pay an amount of Rs.10,000/- to the complainant towards expenses on travel, etc. on her first appearance before the Mediator. Adjourned to 14.08.2017 for awaiting report.

Interim order to continue.”

As per the report of the Mediator, pursuant to the order dated 25.05.2017, mediation proceedings were held, however, the parties could not settle their dispute. Consequently, the matter has been again listed before this Court.

Since the petitioner has joined the investigation as in recorded in the order dated 25.05.2017, the petition is allowed and interim order dated 06.03.2017 is hereby made absolute subject to the condition that the petitioner will join the investigation as and when required by the police; will not tamper with evidence or hamper the investigation; will not leave India without permission of the Court and will comply with the conditions contained in Section 438(2) Cr.P.C.

16.08.2017

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes.

Whether reportable

No.