

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

206

**CRM-M-15267-2020
Date of decision : 05.08.2020**

Beant SinghPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. H.P.S. Ishar, Advocate
for the petitioner.

Mr. H.S. Multani, AAG Punjab
for the respondent-State.

Mr. Kulwinder Singh, Advocate
for the complainant.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.288 dated 23.05.2020 registered under Sections 498-A and 406 of the Indian Penal Code, 1860 at Police Station City Barnala, District Barnala.

While issuing notice of motion on 16.06.2020, the petitioner had been granted interim anticipatory bail by this Court with direction to join the investigation and the matter was referred to Mediation and Conciliation Center of this Court.

Report with terms of the settlement between the parties has been received from Mediation and Conciliation Center of this Court.

I have heard learned Counsel for the petitioner, learned State Counsel and learned Counsel for the complainant and have gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner has joined the investigation. Nothing is to be recovered from

him and his custodial interrogation is not required. During mediation proceedings, the petitioner had compromised with the complainant and at present the complainant is living with the petitioner.

The factum of compromise has also been acknowledged by learned Counsel for the complainant.

Learned State Counsel, on instructions from ASI Harbinder Singh, has acknowledged that in compliance with order dated 16.06.2020 passed by the this Court, the petitioner has joined the investigation and submitted that his custodial interrogation is not required for effecting any recovery.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserves the concession of anticipatory bail.

Therefore, the petition is allowed and order dated 16.06.2020 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation again if and as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C., failing which the protection of anticipatory bail order shall not be available to him.

05.08.2020

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(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No