

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-970-2020(O&M)
Date of Decision: 02.09.2021

(Heard through VC)

Vibhor Bhatia

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sandeep Singh Jattan, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

Mr. Gaurav Sethi, Advocate\
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.394 dated 05.09.2019 under Sections 323, 406, 498A and 506 IPC registered at Baldev Nagar, District Ambala.

Learned counsel for the complainant would submit that vide order dated 10.01.2020, petitioner and respondent No. 2 had been directed to appear before the Mediation and Conciliation centre of this Court with a direction for the petitioner to pay a sum of Rs. 15,000/- to respondent No. 2 which would be a condition precedent for initiating of mediation proceedings.

The matter was adjourned for 17.03.2020 and the arrest of the petitioner had been stayed.

A perusal of the report, submitted by the Mediation and Conciliation centre of this Court, would reflect that the matter was taken up on the date so fixed by the Mediators but on said date the petitioner did not put in appearance whereas the respondent was present. Same was the situations on the next dates of hearing i.e. 17.02.2020 and 02.03.2020. The order dated 10.01.2020 wherein the petitioner had been directed to pay an amount of Rs. 15000/- to the respondent No. 2 has not been complied with as well.

At this stage, learned counsel for the petitioner contends that he is not able to contact the petitioner. He further submits that the petitioner was duly informed about the order so passed regarding joining of the mediation process and of making payment of Rs. 15000/- as litigation expenses and thereafter, petitioner has not been bothered to contact him.

In view of fact that there is non compliance of the order dated 10.01.2020 wherein the parties had been referred to the Mediation and Conciliation Centre of this Court and the fact that the litigation expenses have also not been inclined to exercise discretion in favour of the petitioner, consequently, the petition stands dismissed

Dismissed.

02.09.2021

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No