

206 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6644-2021

Date of Decision: 24.11.2021

SUKHA RAJ ALIAS SUKHRAJ ALIAS SUKHA ... PETITIONER
VS.

STATE OF PUNJAB AND ANR ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Vipin Mahajan, Advocate, for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

VIVEK PURI, J.(ORAL)

Short reply by way of affidavit of Sukhpal Singh, Deputy
Superintendent of Police, City Gurdaspur has been placed on record.

On 12.02.2021, the following order was passed:-

“Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner while inter-alia arguing that a reading of the FIR itself would reflect that only general allegations have been made against the petitioner and his family members with no specific details of any alleged maltreatment. It is further argued that the complainant left the matrimonial home just after five days of birth of minor child, who is now with the petitioner herein. He also contends that the petitioner is ready and willing to settle all disputes with the complainant and prays that the matter ought to be referred for the mediation.

Notice of motion for 30.06.2021.

Mr. Sandeep Kumar, Dy.A.G., Punjab appearing through the medium of video conferencing accepts notice on behalf of the respondent State and seeks time to file reply.

To try and effect a resolution to the dispute that has arisen between the husband and wife, I deem it appropriate that this matter be referred to the Mediation and Conciliation Centre.

Accordingly, the petitioner as well as respondent No.2-complainant are directed to appear before the Mediation and Conciliation Centre at Gurdaspur on 23.03.2021.

The arrest of the petitioner will remain stayed to enable him to participate in the mediation proceedings.”

It has been stated that though the mediation was not successful, but with the intervention of the respectables, the matter has been amicably settled. The petitioner and his wife i.e. respondent No.2 have started residing together in the house of the petitioner.

Learned State counsel, on instructions from ASI Jai Singh, has acknowledged this fact which has also been reflected in the reply. It has been further stated that the petitioner has joined the investigation and his custodial interrogation is no more required.

In view of the above, the order dated 12.02.2021 is made absolute. It is directed that in the event of arrest, the petitioner shall be released on bail to the satisfaction of the Arresting Officer and subject to the condition that he complies with the provisions of Section 438 (2) Cr.P.C.

The petition is, accordingly, allowed.

24.11.2021
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No