

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

CRM-M-20997-2018 (O&M)

Date of Decision: 06.08.2021

(Heard through VC)

Sewa Ram @ Sewa Chaudhary

...Petitioner

Versus

State of Haryana and Another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. R.S. Rai, Sr. Advocate with
Mr. Sushil Jain, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Roopam Jain, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in case FIR No.384 dated 11.04.2018 under Sections 498A, 468, 471, 420, 406 and 313 IPC registered at Faridabad Central, Faridabad, District Faridabad.

Learned senior counsel for the petitioner contends that pursuant to the order dated 17.05.2018 he has already joined the investigation which is confirmed the State counsel on instruction of ASI Narayan. He further contends that the matter had been referred to the Mediation and Conciliation Center of this Court on 23.07.2019. It is submitted that the said mediation had failed, however, as the marriage of his son was to be performed, the

complainant participated in the said rituals and is currently residing in the house with the petitioner herein.

At this stage, learned counsel for the complainant pleads no instructions in the said matter and seeks time to file reply.

I have heard counsel for the parties and perused the case file.

Taking note of the fact that the petition for pre-arrest bail is pending in this Court since 2018, I find no ground to adjourn the matter to enable the counsel for the respondent No.2 for filing a reply. Keeping in mind that the petitioner has already joined the investigation as far back as 2018 and onward, no useful purpose would be served in keeping this petition pending in the High Court. In case counsel for the complainant feels that any factual mis-statement has been made, he would always be at liberty to avail the remedy in accordance with law. Learned senior counsel for the petitioner states that he is making the statement with a great responsibility.

In view of the facts that the matter has been investigated and petitioner has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 17.05.2018 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

06.08.2021

Riya

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No