

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

208

CRM-M-19906-2020

Date of decision: 14.01.2021

Shinder Pal

.....Petitioner

Versus

State of Punjab and another

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Anuj Dewan, Advocate
for the petitioner.

Mr. Rana Harjasdeep, DAG, Punjab
for the respondent-State.

Mr. Pranav Handa, Advocate
for respondent No.2.

ARUN KUMAR TYAGI, J. (ORAL)

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

The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for short, "Cr.P.C") for grant of anticipatory bail in case FIR No. 36 dated 26.06.2020 registered under Sections 406 and 498-A of the Indian Penal Code, 1860 at Police Station Women Cell, Jalandhar.

Vide order dated 22.07.2020, while issuing notice of motion, Co-ordinate Bench of this Court had granted interim anticipatory bail to the petitioner with direction to join the investigation.

Thereafter, vide order dated 09.11.2020, the matter was referred to Mediation and Conciliation Centre of this Court.

The Mediator has submitted the report that the parties have compromised as per terms and conditions mentioned in his report.

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

Learned State counsel has, on instructions from Investigating Officer, acknowledged that in compliance with order dated 22.07.2020 passed by co-ordinate Bench of this Court, the petitioner has joined the investigation and his custodial interrogation is not required in the case.

Learned State Counsel and learned counsel for the complainant have no objection if the petition is allowed and interim order dated 22.07.2020 is made absolute.

In view of the facts and circumstances of the case, nature of accusation against the petitioner, the fact that custodial interrogation of the petitioner is not required in the case and there is no material to justify the apprehension of the petitioner fleeing from justice or tempering with evidence or criminally intimidating the prosecution witnesses but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserves the grant of anticipatory bail.

In view of the above, the petition is allowed and order dated 22.07.2020 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.

In compliance of order dated 22.07.2020, amount of

Rs.25,000/- was deposited by the petitioner in the Registry of this Court which is ordered to be paid to respondent No.2 through RTGS on furnishing of Bank account details by respondent No.2 in the Registry.

14.01.2021
vishal

(ARUN KUMAR TYAGI)
JUDGE

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