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

(Through video conferencing)

**CRM-M No.49479 of 2018
Date of Decision: 01.10.2021**

BRIJ MOHAN BHANDARI

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:None for the petitioner.

Mr. Ramandeep Sandhu, Sr. D.A.G., Punjab.

Mr. Ankur Jain, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

[1]. Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.114 dated 12.09.2018, registered under Sections 420, 467, 468, 471, 120-B IPC at P.S. Tibba, District Ludhiana.

[2]. Vide order dated 07.02.2019, interim bail was granted to the petitioner from 08.02.2019 to 05.03.2019 on his furnishing bail bonds/surety bonds to the satisfaction of the CJM/Duty Magistrate concerned. Petitioner was directed to surrender

before the jail authorities after the completion of the period of interim bail.

[3]. The aforesaid order was passed on the assertion of the petitioner that he was ready to settle the matter with the complainant and for settling the dispute, interim bail was required to be granted. Both the parties were directed to appear before the Mediation and Conciliation Centre of the Court on 11.02.2019 to explore the possibility of some amicable settlement. Thereafter the case was adjourned on number of occasions for one or the other reason.

[4]. On 22.07.2019, learned counsel for the petitioner submitted before the Court that due to demise in the family of the petitioner, the matter could not be compromised. The parties were again directed to appear before the Mediation and Conciliation Centre of this Court on 29.07.2019 to explore the possibility of settlement. Thereafter also the case was adjourned on number of occasions with interim order to continue.

[5]. On 12.02.2020, following order was passed by the Co-ordinate Bench of this Court:-

“During the course of hearing, it has been pointed out by the complainant that the interim bail was granted to the petitioner solely with the purpose of facilitating his presence before the mediator so that efforts may be made

for amicable settlement but mediation was unsuccessful, as the petitioner has not been appearing and has requested the interim bail granted to the petitioner may be cancelled.

On request of learned counsel for the petitioner, adjourned to 19.02.2020.

Interim order to continue.

12.02.2020

(VIVEK PURI)
JUDGE”

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[6]. Perusal of the aforesaid order would show that the petitioner did not appear before the Mediation and Conciliation Centre of this Court. Interim bail was granted to the petitioner solely with a view to make efforts for amicable settlement. The case was further adjourned at the request of learned counsel for the petitioner.

[7]. On 26.02.2020, learned counsel for the petitioner again made a statement before the Court that there are fair chances of amicable settlement between the parties for which the efforts initiated by the parties may materialize within a week. He made a statement that in case, amicable settlement is not effected, the petitioner will surrender before the Court. The case was adjourned for 17.03.2020. Thereafter due to prevailing situation arising out of COVID-19 pandemic, the case could not taken up and was adjourned. The case was taken up on 20.07.2021. None appeared on behalf of the petitioner on that day.

[8]. Learned counsel for the complainant submits that there

is no progress in terms of amicable resolution of dispute between the parties till date. Petitioner has not surrendered before the Court even in the event of no settlement between the parties.

[9]. Learned State counsel has also relied upon the custody certificate showing that the petitioner has not surrendered before the trial Court or before the Police.

[10]. Today, also there is no representation on behalf of the petitioner. It appears that the petitioner has misused the concession of interim bail. He had appeared before the Mediation and Conciliation Centre of this Court only for once. The petitioner has not surrendered, even after failure of mediation proceedings.

[11]. In view of facts and circumstances of the case, I deem it appropriate to dismiss the present petition. Ordered accordingly. Normal consequences to follow.

October 01, 2021

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Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No