

**240-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-1148-2022

Date of Decision: 02.09.2022

Madhu Bala

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Gursimran Singh, Advocate,
 for the petitioner.

Mr. Ramdeep Partap Singh, Sr. D.A.G., Punjab.

Mr. Jagjot Singh, Advocate,
for the complainant.

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 258 dated 02.12.2021, under Sections 420/406/120-B/506 of the Indian Penal Code, registered at Police Station City Sunam, District Sangrur.

On 22.02.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“As per report of the Mediator, parties failed to appear before him on the date fixed. Today, counsel for the petitioner(s) as well as counsel appearing on behalf of the complainant submitted that even now the parties are ready for mediation. Accordingly, the parties are directed to appear before the Mediation & Conciliation Centre of this Court on 7.3.2022.

Counsel for the petitioner(s) brought to the notice of this Court that the petitioner(s) have joined the investigation with the police in compliance of order dated 22.12.2021 and 12.1.2022 passed by this Court. On this, counsel for the State submitted that although the petitioner(s) have joined the investigation but are required by the police for further investigation in the present case.

Now be listed on 23.5.2022.

In the meantime, the petitioner(s) should join further investigation with the police on 18.4.2022 and to abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Interim order to continue till the next date of hearing.

A photocopy of this order be placed on the file of the connected matter, numbered above.

(KARAMJIT SINGH)
JUDGE

22.02.2022”

Thereafter on 23.05.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“Learned State counsel on instructions from ASI Ram Singh submits that the petitioner(s) who have earlier joined the investigation are required by the Police for further investigation.

In view of the above, the petitioners are hereby directed to join further investigation with the Police on 20.06.2022 and 18.07.2022 and to abide by the conditions envisaged under Section 438 Cr.P.C.

Now be listed on 02.09.2022.

Interim order to continue.

A photocopy of this order be placed on the file of other connected case.”

Learned counsel for the petitioner, as well as counsel for the complainant have jointly submitted that although initially the mediation had failed but the matter has now been amicably settled and thus, both have prayed that the present petition be allowed.

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from SI Ram Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances, moreso, the facts which have been recorded in the order dated 12.01.2022 and the fact that the matter has been compromised between the parties and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 12.01.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

September 02, 2022

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Whether speaking/reasoned
Whether Reportable

(VIKAS BAHL)

JUDGE

Yes/No
Yes/No