

202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1050-2020
Date of decision: 28.02.2022

RAJDEEP SINGH BHAGANIA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No. 132 dated 21.12.2019, registered under Sections 498-A IPC, 1860, at Police Station Ajitwal, District Moga.

On 13.01.2020, the following order was passed:-

“Learned counsel for the petitioner herein submits that the petitioner is ready for settling the dispute between the parties.

In view of the stand taken by the petitioner, this matter can be referred to the Mediation and Conciliation Centre of this Court.

Ms. Parwinder Kaur, d/o Jagroop Singh, r/o village Baudey, Tehsil Nihal Singh Wala, Distt. Moga is impleaded as respondent No.2.

Notice of motion.

Parties are directed to appear before the Mediation and Conciliation Centre of this Court on 30.01.2020, to arrive at some amicable settlement.

The petitioner will make the payment of `22,000/- towards litigation expenses to the complainant before the Mediation Centre.

In the meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail, subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating

Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends at the earlier instance, the petitioner has filed a petition under Section 9 of Hindu Marriage Act. Though, the mediation was unsuccessful but subsequently, the matter has been amicably settled and a petition for quashing bearing CRM-M-52369-2021 has already been instituted in this Court. Furthermore, in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation and his custodial interrogation is not required.

On instructions from ASI Faily Singh, learned Sate counsel has stated that the petitioner has joined the investigation and his custodial interrogation is not required.

Keeping in view the fact that the matrimonial dispute has been amicably settled between the parties. The petitioner has joined the investigation and his custodial interrogation is not required. As such, sufficient exceptional circumstances are made out to extend the concession of bail to the petitioner.

In view of the aforesaid submissions, the order dated 13.01.2020, granting interim bail to the petitioner is made absolute.

Furthermore, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition stands allowed.

28.02.2022
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(VIVEK PURI)
JUDGE

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

