

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-2017-2022
Date of Decision: 20.04.2022

KARAN SHARMA ... PETITIONER
STATE OF PUNJAB V/S ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Ms. Swati Verma, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G. Punjab.

Mr. Harmanpreet Singh, Advocate for the complainant.
* * *

VIVEK PURI, J. (ORAL)

On 18.01.2022, following order was passed:

“Through instant petition, the petitioner is seeking anticipatory bail in case bearing FIR No. 237 dated 16.11.2021 under Sections 323, 406, 498-A and 120-B IPC registered at Police Station Sahnewal, Ludhiana.

Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 30.11.2020 and on account of temperamental differences they could not pull on together. The parents of the petitioner have been granted pre-arrest bail and the articles of *istridhan* have been recovered. Furthermore, there were also negotiations for amicable settlement but the same could not materialize.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab, accepts notice on behalf of the respondent-State. Mr. Harmanpreet Singh, Advocate, has appeared on behalf of the complainant.

Learned counsel for the petitioner as well as counsel for the complainant state that the possibility of amicable settlement through the process of mediation may be explored in the instant case.

Accordingly, Pratibha Sharma (complainant) daughter of Shri Vijay Kumar, resident of village Tibba, Police Station Sahnewal, District Ludhiana, is impleaded as respondent No.2. The Registry is directed to make necessary correction in the memo of the parties.

The petitioner shall pay a sum of Rs.20,000/- to respondent No.2 to facilitate and bear the expenses for her to participate in the mediation proceedings.

To facilitate the petitioner to participate in the mediation proceedings, it is directed that the petitioner shall join the investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.

The parties are directed to appear before the Mediation Centre of this Court on 15.02.2022.

Report be awaited for 20.04.2022.”

Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.

Learned State counsel, on instructions of ASI Gurmeet Singh has stated that the petitioner has joined the investigation on 21.03.2022, the recoveries have been effected, the articles of *Istridhan* including the jewellery articles have been released on supurdari to the complainant and the custodial interrogation of the petitioner is not required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 18.01.2022 is made absolute.

The petition stands allowed.

20.04.2022

Janki

(VIVEK PURI)
JUDGE

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