

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(203)

CRM-M-5169-2022

Date of Decision: 23.12.2022

Shakti Singh

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Sanjay Tangri, Advocate for the petitioner.

Mr. Karunesh Kaushal, A.A.G., Punjab.

Mr. Gautam Goyal, Advocate for respondent no.2.

RAJESH BHARDWAJ.J (Oral)

The present petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioner in FIR No.0611 dated 20.12.2021 registered under Section 377 IPC at Police Station, Zirakpur.

By virtue of the order dated 6.4.2022 while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner submits that in pursuance to the order dated 6.4.2022 petitioner has joined investigation. He submits that petitioner had duly appeared before the Mediation Centre, however, respondent no.2 did not attend the proceedings and hence the same could not take place. He submits that the interim order may kindly be made absolute.

Learned counsel for the complainant has opposed the submissions made by counsel for petitioner. He submits that respondent no.2 belongs to Himachal Pradesh and hence she was unable to attend the mediation proceedings.

Learned State counsel on instructions from HC Avtar Singh has endorsed the fact that petitioner has joined investigation and submitted that he is no more required for further investigation.

In view of the above, the order dated 7.10.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C and the petition stands allowed. However, parties are at liberty to continue with their mediation proceedings, if, so desired.

(RAJESH BHARDWAJ)
JUDGE

23.12.2022

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No