

CRM-M-5892-2022

Date of decision: 12.05.2022

PUNEET MAHAJAN

...PETITIONER

VERSUS

STATE OF UT CHANDIGARH

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Arun Dogra, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, APP for UT, Chandigarh.

VIVEK PURI, J. (ORAL)

Mr. Anurag Singh Tagra, Advocate has put in appearance on behalf
of respondent No.2/complainant and filed Vakalatnama, which is taken on record.

On 11.02.2022, the following order was passed:-

"The petitioner is seeking anticipatory bail in case FIR No.0068 dated 20.09.2021 under Sections 498-A and 406 IPC, registered at Police Station Women, Chandigarh.

Learned counsel for the petitioner contends that the FIR has been lodged on the basis of false and frivolous allegations. At the earlier instance, there was dispute between the petitioner and the complainant. However, the matter was amicably settled and an entry in the General Diary (Annexure P-1) was recorded. Subsequently, while making entry in General Diary (Annexure P-2), the complainant had also taken her articles. Furthermore the efforts were also made for amicable settlement in the Court below but the same could not materialize.

Learned counsel for the petitioner contends that the petitioner is ready and willing to amicably settle the dispute through the process of mediation.

Notice of motion.

Ms. Simsi Dhir Malhotra, APP, U.T. Chandigarh accepts notice on behalf of respondent No.1-State.

Upon the oral request of complainant i.e. Monika Sharma D/o Naresh Sharma R/o House No. 30, Old Mata Gujri Enclave, Mundi Kharar District SAS Nagar (Mohali) is impleaded as respondent No.2.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 16.03.2022. The petitioner is also directed to pay a sum of Rs.10,000/- to respondent No.2 on her appearance before the Mediation and Conciliation Centre of this Court to facilitate her presence and participation in mediation proceedings.

To await the report of Mediation and Conciliation Centre, the case is adjourned to 12.05.2022.

In the meanwhile, the petitioner is directed to 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.”

As per report received from Mediation and Conciliation Centre, the mediation was unsuccessful.

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

On instructions from ASI Ravinder Singh, learned State counsel has not assailed the aforesaid factual aspects and states that the petitioner has joined the investigation but recovery of some jewellery items has been effected.

Even, learned counsel for the complainant has opposed the bail application on that score.

On a specific query, as to whether there is any bill submitted with regard to any article which is yet to be recovered, learned State counsel contends that no such bill has been provided by the complainant to the Investigating Agency. Moreover, the controversy as to whether any articles of *Istri Dhan* was

and moot point during the course of trial.

In view of the aforesaid submissions, the order dated 11.02.2022, granting interim bail to the petitioner is made absolute.

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

The petition is allowed.

12.05.2022
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(VIVEK PURI)
JUDGE

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