

213/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21077-2022
Date of Decision: 24.08.2022

INDERJIT SINGH ... PETITIONER
V/S
STATE OF PUNJAB ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. L.S.Virk, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.

* * *

VIVEK PURI, J. (ORAL)

On 17.05.2022, following order was passed:

“Prayer in the present petition is for grant of anticipatory bail to the petitioner in a case FIR No.23, dated 25.2.2022, registered under Sections 406, 498-A IPC, at Police Station Nurmahal, District Jalandhar.

It has been contended by learned counsel for the petitioner that marriage in question took place on 15.10.2019. He submits that Sharda who is younger sister of the complainant is also married in the same family with the brother-in-law of the complainant. He submits that the allegations pertaining to the harassment on account of demand of dowry are totally false and frivolous, however, the matrimonial discord is only account of temperamental differences between the husband and the wife. He submits that the petitioner before this Court is the brother-in-law of the complainant and husband of Sharda i.e. the younger sister of the complainant in the FIR. He submits that the dispute can be amicably resolved, if the matter is referred to the Mediation Centre. He further submits that the petitioner has never been involved in any other criminal case and has an impeccable record.

Notice of motion.

Ms. Ruchika Sabherwal, Assistant Advocate General, Punjab, accepts notice on behalf of the respondent-State.

Mr. Lakhwinder Singh Mann, Advocate, appears for the complainant and though opposes the submission made by learned counsel for the petitioner, however, he is also of the opinion of that the matter can be referred to the Mediation Centre for settling their dispute amicably.

Learned counsel for the petitioner is directed to implead the complainant as party in this petition and file amended memo of parties within a week from today.

As the parties are *ad idem*, they are directed to appear before the Mediation and Conciliation Centre of this Court on 8.7.2022 for settling their dispute. The petitioner would pay Rs.15,000/- as litigation expenses to the complainant on her appearance before the Mediation Centre.

Adjourned to 24.8.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-

(i) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.

(ii) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iii) That the petitioner shall not leave India without prior permission of the court.”

In the instant case and the connected matter bearing CRM-M-25510-2022, the matter was referred to the Mediation and Conciliation Centre, but the mediation remained unsuccessful.

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

Learned State counsel, on instructions from ASI Avtar Lal, has stated that the petitioner has joined the investigation and his custodial interrogation 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 17.05.2022 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

24.08.2022

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