

CRM-M-25094-2022

Date of decision: 01.09.2022

NAHAR SINGH

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. P.K.Chugh, Advocate for the petitioner.
Mr. Zorawar Singh Chauhan, DAG, Haryana.

VIVEK PURI,J. (ORAL)

On 02.06.2022 , the following order was passed:-

“Through instant petition, the petitioner is seeking anticipatory bail in case bearing FIR No. 88 dated 28.02.2022 under Sections 323/406/498-A/506 and 34 IPC, registered at Police Station Bawal, District Rewari.

Learned counsel for the petitioner contends that the marriage of petitioner was solemnized with the complainant on 29.06.2020. The FIR is the result of matrimonial dispute. It has been further stated that the dispute had cropped up on account of incompatibility of the temperaments and on certain minor issues. The FIR has been registered on the basis of false allegations. Even, at the earlier instance, the complainant had submitted an application to the police and the matter was compromised with the intervention of the respectables. The petitioner is ready and willing to amicably settled the dispute through the process of mediation.

On oral request of learned counsel for the petitioner, Ms. Nisha, daughter of Mr. Chhaju Singh Rajput, resident of Nangal Ugra, Rewari, Haryana is impleaded as respondent No.2. Registry to make the necessary correction accordingly.

Notice of motion.

Mr. Zorawar Singh Chauhan, Deputy Advocate General, Haryana, accepts notice on behalf of the respondent-State. Mr. Rao Ajender Singh,

Advocate, also accepts notice on behalf of the complainant.

Learned counsel for the complainant has very fairly stated that he is not averse to exploring the possibility of amicable settlement through mediation.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 27.07.2022.

The petitioner-husband is directed to pay a sum of Rs.20,000/- to the complainant to facilitate her presence and participation in the mediation proceedings and the amount shall be paid on the first date of appearance before the Mediation and Conciliation Centre of this Court.

The report be awaited for 01.09.2022.

In the meanwhile, the petitioner is directed to join 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 the report received from the Mediator, the parties could not reach at any amicable settlement.

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

On instructions from ASI Kavita, learned State counsel also states that the petitioner has joined the investigation and his custodial interrogation is not required.

In view of the aforesaid submissions, the order dated 02.06.2022, granting interim bail to the petitioner is made absolute.

The petition is allowed.

01.09.2022
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(VIVEK PURI)
JUDGE

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