

CRM-M-24768-2019(O&M)
Date of decision: 12.05.2022

TEJINDER SINGH MATTA

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. M.K.Dogra, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. Rajeev Dev Sharma, Advocate
for the complainant.

VIVEK PURI, J. (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.20 dated 14.03.2019, registered under Sections 498-A/406/120-B IPC, 1860 at Police Station Division No.1, District Pathankot.

On 10.07.2019, the following order was passed:-

“Mr. Rajeev Dev Sharma, Advocate has put in appearance and filed his vakalatnama on behalf respondent No.2-Geetanjali. Same is taken on record.

Respondent No.2-Geetanjali is present in Court along with her father. She has submitted that petitioner sent him photographic message saying that he is in the company of a girl friend. Copy of the photograph has been supplied to learned counsel for the petitioner. She further submitted that it is difficult for her to appear before the Mediation and Conciliation Centre at Chandigarh and matter be referred to Mediation and Conciliation Centre at Pathankot. The learned counsel for the petitioner undertakes to pay Rs.5,000/- as to and fro journey charges on each date fixed for Mediation & Conciliation of

this Court.

As such, parties are directed to appear before the Mediation and Conciliation Centre of this Court on 05.08.2019.

Adjourned to 21.10.2019 for report.

However, petitioner shall pay Rs.5,000/- to respondent No.2 on each date of her appearance before the Mediation and Conciliation Centre for to and fro journey from Pathankot to Chandigarh.

Payment of Rs.5,000/- on each date of mediation shall be condition precedent.

In the meanwhile, petitioner is directed to surrender before the Arresting/Investigating Officer and join the investigation. On doing so, he shall be released on interim bail, subject to his furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.”

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 Sham Lal, learned State counsel states that the petitioner has joined the investigation, the investigation of the case is complete, the challan has already been presented, even charge has been framed and his custodial interrogation is not required.

Learned counsel for the complainant has opposed the bail application on the score that even at the earlier instance, the petitioner had apologized for the cruelty meted out by him to the complainant.

It may be mentioned here that in the instant case, the petitioner has joined the investigation in pursuance of interim directions issued by this Court, the investigation of the case is complete, the challan has been presented, charge has been framed and as such, the custodial interrogation of the petitioner or his

In view of the aforesaid submissions, the order dated 10.07.2019, 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