

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(219)

CRM-M-29789-2022
Date of decision:- 27.10.2022

Kulbir Singh Uberoi

...Petitioner

Versus

State of U.T., Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Siddharth Pandit, Advocate for the petitioner.

Mr. Anil Kumar Lamdharia, Addl. P.P., U.T., Chandigarh
for State-respondent No.1.

...

SUVIR SEHGAL, J. (Oral)

Mr. Atul Pratap Dhankar, Advocate for Mr. Sunil K. Nehra,
Advocate has put in appearance on behalf of complainant-respondent No.2
and has filed Vakalatnama, which is taken on record.

On 14.07.2022, this Court passed the following order:-

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in Complaint No.102 dated 08.11.2019 (Annexure P-6) pending in the Court of Shri Mayank Marwaha, PCS, learned JMIC, U.T., Chandigarh, titled as “Ms. Natasha Gill Versus Rajbir Singh Uberoi and another”, filed under Sections 406, 498-A, 323, 506 and 34 of the Indian Penal Code, 1860.

Counsel for the petitioner submits that the petitioner is 75 year old father-in-law of the complainant, who has a matrimonial dispute with the petitioner's son. Counsel submits that the petitioner was granted interim bail by the learned Additional Sessions Judge, Chandigarh vide order dated 20.12.2021 (Annexure P-2), but he could not appear before the Trial Court due to his ill health. Counsel submits that the petitioner had filed an application before the learned Additional Sessions Judge, Chandigarh seeking another opportunity to join the proceedings, but the same was not entertained and the

petition was dismissed on 17.02.2022 (Annexure P-3). He submits that second anticipatory bail was declined vide order dated 23.03.2022 (Annexure P-1). Counsel submits that interim order qua his son, Rajbir Singh, who is the main accused, has already been confirmed and the petitioner will appear before the Trial Court as directed by this Court.

Notice of motion.

On asking of the Court, Mr. Anil Kumar Lamdharia, Addl. P.P., U.T., Chandigarh accepts notice on behalf of State-respondent No.1.

In case, the petitioner appears before the Trial Court within a period of two weeks from today and joins the proceedings, he shall be ordered to be released on ad interim bail on his furnishing bail/surety bonds to the satisfaction of the Trial Court.

List on 28.09.2022.”

Counsel for the petitioner submits that the petitioner has appeared before the Trial Court and has been released on ad-interim bail.

This fact has been verified by the learned Additional Public Prosecutor, U.T., Chandigarh upon instructions received from ASI, Mohinder Singh.

Counsel representing the complainant submits that there is a possibility of settlement between the parties, which deserves to be explored.

In view of the above, order dated 14.07.2022 is made absolute.

Petition is disposed of.

Considering the request made by counsel for the complainant, parties are directed to appear before the Mediation and Conciliation Centre of this Court on 10.11.2022 at 10:00 A.M.

It has been submitted by counsel for the petitioner that petitioner's son, who is abroad, after getting permission from the Competent Court, is

likely to return before 07.11.2022 and he will appear before the Mediation Centre instead of the petitioner, who is of an advanced age and facing age related medical issues.

Report of the learned Mediator be placed on the record in due course.

27.10.2022
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No