

**212 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-34730-2021

Date of Decision: 24.05.2022

Hiten Rajesh Solanki

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURIPresent: Mr. Parunjeet Singh, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG Punjab.

Mr. Hardeep Singh, Advocate
for the complainant.

VIVEK PURI J.

Through instant petition, the petitioner is seeking anticipatory bail in case FIR No. 81 dated 23.07.2021 under Sections 406 and 498-A of IPC registered at Police Station Women, Police Commissionerate Ludhiana (Annexure P-1).

On 15.02.2022, following order was passed:

“As per the report received from Mediation and Conciliation Centre of this Court, the mediation remained unsuccessful as the petitioner was absent and when contacted on phone, he had refused to join the meeting.

Learned counsel for the petitioner contends that due to certain compelling circumstances, the petitioner was unable to travel from Mumbai to join the mediation proceedings. He in all his fairness states that the matter may be again referred to Mediation and Conciliation Centre wherein the petitioner will again put in appearance.

At the earlier instance, the arrest of the petitioner was stayed and consequently, he could not join the investigation as pointed out by the learned State counsel.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 23.03.2020.

To await report, adjourned to 24.05.2022.

Meanwhile, it is directed that the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

The report has been received from the Mediation and Conciliation Centre of this Court to the effect that the matter has been amicably settled between the parties and the settlement entered into between the parties has also been annexed with report. The Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation and furthermore the petitioner and the complainant have instituted a petition under Section 13-B of the Hindu Marriage Act for dissolution of marriage, wherein the statements of the parties at the stage of first motion have been recorded. Moreover, the petitioner and others have instituted CRM-M-19601 of 2022 for quashing the FIR on the basis of compromise, wherein directions have been issued to get the statement issued before the trial Court.

On the instructions of ASI Mohan Lal, learned State Counsel has not disputed the aforesaid factual aspects and further contended that custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner.

Accordingly, order dated 15.02.2022, vide which the petitioner has been granted interim bail, is made absolute.

The petition is allowed.

24.05.2022

Ajay Goswami

(VIVEK PURI)

JUDGE

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