

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(208)

CRM-M-27007-2019(O&M)

Date of Decision: 19.04.2022

Nipun Aggarwal

--Petitioner

Versus

State of Punjab & another

--Respondents

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Dr. Surya Parkash, Advocate for the petitioner.

Mr. Rakeshinder Singh Sidhu, A.A.G., Punjab.

Mr. Abhinav Gupta, Advocate for respondent no.2.

RAJESH BHARDWAJ.J (Oral)

CRM-28849-2019

Application is allowed as prayed for.

Documents Annexures P-7 and P-8 are taken on record.

Main Petition

The present petition has been filed under Section 438 Cr.P.C for grant of pre-arrest bail to the petitioner in FIR No.0015 dated 20.4.2019 registered under Sections 498-A, 406 IPC at Police Station, Women, District Bathinda.

By virtue of the order dated 12.1.2022 while granting interim protection, the petitioner was directed to join investigation.

It has been contended by learned counsel for the petitioner that in pursuance to the order dated 12.1.2022, the petitioner has joined the investigation. Counsel submits that parties were referred to the Mediation Centre for exploring possibilities of amicable settlement, however, the same could not be arrived at. Report of the Mediator has also been placed on record showing that the joint and single mediation sessions were held with the parties, however, parties were not able to resolve their dispute.

Learned counsel for the complainant has submitted that the mediation proceedings failed due to the non-cooperation of the petitioner. He also submits that recovery of dowry articles is yet to be effected.

Learned State counsel has endorsed the same and submitted that petitioner is no more required for further investigation.

Having interacted with counsel for the parties, this Court does not find any chance of settlement and hence it would be a futile exercise to refer the parties again for mediation.

In view of the above position, the order dated 12.1.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C and the petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

19.04.2022

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No