

CRM-M-34746-2021

Date of Decision: 22.2.2022

Bakhshish Singh

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sachin Ohri, Advocate, for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab.

Mr. Amandeep Singh Manaise, Advocate, for the complainant

Rajesh Bhardwaj, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in FIR No.57 dated 20.7.2021 registered under Sections 498-A, 406, 354-A, 506 and 120-B IPC at Police Station Bhaini Mian Khan, District Gurdaspur.

By virtue of the order dated 25.8.2021, while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner submits that in pursuance to the order dated 25.8.2021, the petitioner has joined the investigation and complied with the terms and conditions of the order. He submits that the parties were referred to the Mediation Centre, however, the the same remained unsuccessful.

Learned State counsel, on instructions from ASI Manjeet Singh, has affirmed the fact that the petitioner has joined the investigation, however, some recovery of gold articles is remained to be effected.

Learned counsel for the complainant also submits that recovery of gold articles remains to be effected. He also affirms the fact that the mediation remained unsuccessful before the Mediation Centre.

Report of the Mediator dated 6.1.2022 has also been placed on record affirming the fact that the matter could not be settled between the parties.

In the overall facts and circumstances, this Court finds that the investigation should go ahead and the matter deserves to be decided on merits.

In view of the above, the order dated 25.8.2021 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

22.2.2022

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