

CRM-M-38890-2021

Date of Decision: 22.2.2022

Manish Chauhan

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Joban Singh, Advocate, for the petitioner.
Mr. Rakeshinder Singh Sidhu, AAG, Punjab.
Mr. Akash Yadav, Advocate for
Mr. Abhinav Gupta, 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.06 dated 30.7.2021 registered under Sections 406, 498-A IPC at Police Station NRI Commissionerate District Jalandhar.

By virtue of the order dated 20.9.2021, while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner submits that in pursuance to the order dated 20.9.2021, the petitioner has joined the investigation and complied with the terms and conditions of the order. He submits that though the parties appeared before the Mediation Centre, but the same remained unsuccessful.

Report of the Mediator dated 18.2.2022 has also been placed on record, which would show that despite best efforts, the parties could not arrive at amicable settlement.

Learned counsel for the complainant submits that the mediation failed as the petitioner did not cooperate.

Learned State counsel, on instructions from Inspector Gurwinder Kaur, has affirmed the fact that the petitioner has joined the investigation and he is no more required for further investigation.

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 20.9.2021 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