

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 202

CRM-M-32630-2020

Date of decision : 06.04.2022

Harpreet Singh

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.B.B.S.Randhawa, Advocate, for the petitioner.

Ms.Gunkirat Kaur, AAG, Punjab.

Mr.Sunil Mallan, Advocate, for the complainant.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.126 dated 23.11.2019 registered under Section 498-A and 406 IPC at Police Station Shri Hargobindpur, District Gurdaspur.

On 14.10.2020 this Court had passed the following order: -

“It is inter alia contended that the dispute arose only when the petitioner asked for the refund of an amount of Rs.25 lacs given to the brother of the complainant, for him to go abroad. Counsel for the petitioner would submit that the petitioner is ready to settle all disputes and prays that the matter be referred to the Mediation and Conciliation Centre of this court to explore the chances of amicable resolution.

Notice of motion.

At this stage, Ms. Monika Jalota, DAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State. Similarly, Mr. K.S. Kahlon, Advocate accepts notice on behalf of the complainant.

Counsel for the complainant would submit that no such money had been handed over and the averment made is false. However, counsel is not averse to the mediation process, provided that some deposit is made in the name of the minor child, who is in the custody of the complainant herein.

Let an amount of Rs.22,000/- be paid to the complainant towards litigation expenses in her bank account, the details of which will be furnished by counsel for the complainant to the counsel for the petitioner within three days.

Counsel for the petitioner seeks some time to get the necessary instructions regarding deposit of some amount with the Duty Magistrate.

List on 02.11.2020 for referring the parties for the mediation.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C. ”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined the investigation; has cooperated with the investigating agency and that his custodial interrogation is not required by the State.

Learned counsel appearing for the complainant submits that the matrimonial dispute between the petitioner and the complainant has been amicably resolved.

In view of the above, this Court is of the opinion that the petitioner's custodial interrogation is not necessary and accordingly the order of this Court dated 14.10.2020, granting ad interim anticipatory bail to the petitioner is made absolute.

06.04.2022
shamsher

[DEEPAK SIBAL]
JUDGE

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