

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

CRM-M-36064-2022

Date of Decision: 29.09.2022

HARMINDER SINGH

... PETITIONER

VS.

STATE OF PUNJAB AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Ms. Neha, Advocate for
Mr. Naresh Kumar, Advocate
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

On 17.08.2022, the following order was passed:-

“The petitioner is seeking anticipatory bail in case bearing FIR No.65 dated 08.07.2022 under Sections 498-A/323/34 IPC registered at Police Station Bassi Pathana, District Fatehgarh Sahib.

Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant/respondent No.2 on 27.03.2010 and two daughters have been born from the wedlock. There are false and vague allegations with regard to demand of Rs.1 lac and the same has been attributed to the mother of the petitioner. The mother of the petitioner has been granted anticipatory bail by the Court of Session. Furthermore, neither the complainant/respondent No.2 nor anyone from her parental side ever submitted any complaint at any forum with regard to maltreatment meted out to her during the period of 12 years of marriage. The petitioner is ready and willing to amicably settle the matrimonial dispute.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab, accepts notice on behalf of respondent No.1-State.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 30.08.2022.

The petitioner shall also pay a sum of Rs.30,000/- to the complainant/respondent No.2 on her appearance before the Mediator to facilitate her presence and participation during the course of mediation proceedings.

The report be awaited for 29.09.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

As per the report of the Mediator, in the absence of respondent No.2, the amicable settlement could not take place.

Learned counsel appearing for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Gurdeep Singh, has not disputed the aforesaid factual aspect(s) and further contends that the 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 17.08.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

29.09.2022
smriti

(VIVEK PURI)
JUDGE

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