

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

CRM-M-40445-2021

Date of decision : 24.08.2022

Harshdeep Singh @ Harshdeep Singh

..... Petitioner

versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. K.S. Dadwal, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

Mr. Sameer Sachdeva, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.006 dated 18.01.2020, under Section 498-A IPC (later on added Section 406 IPC) at Police Station Women, Police Commissionerate, Jalandhar District Jalandhar.

Vide order dated 07.04.2022, while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner has submitted that pursuant to order dated 07.04.2022, petitioner has joined the investigation. He also submits that the parties were referred to the Mediation and Conciliation Centre of this Court and they duly appeared and the matter is also settled. The agreement arrived at between the parties is also placed on record.

The report of the Mediator has also been received showing that the matter has been amicably settled. However, learned counsel for the

complainant has disputed the same and has submitted that after entering into the agreement, petitioner is not honouring the terms and conditions of the agreement especially at Serial No.8(d) and the maintenance.

Learned counsel for the petitioner however, submits that petitioner is ready to honour each and every condition of the agreement and the same could not be complied with as on date due to some legal formalities.

On interaction with counsel for the parties it appears that the agreement arrived at between the parties is not being accepted *in toto* by both the parties. As both the parties are doubting each other, so the matter needs to be decided on merits.

Learned counsel for the State on the other hand submits that petitioner has joined investigation and is no more required for further investigation. He further submits that the State is in a position to file the challan.

After hearing counsel for the parties and perusing the record, it is apparent that the matter needs to be thoroughly investigated and thereafter tried by the trial Court. Accordingly, interim order dated 07.04.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C

Petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

24.08.2022
m.sharma

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No