

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48913-2021
Date of Decision: 12.09.2022

GURPREET SINGH ... PETITIONER
V/S
STATE OF HARYANA ... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Parminder Singh, Advocate for the petitioner.
Mr. Zorawar Singh Chauhan, DAG Haryana.
Mr. Eklavya Gupta, Advocate for the complainant.

* * * *

VIVEK PURI, J. (ORAL)

On 23.11.2021 following order was passed:

“Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.84 dated 20.08.2021 under Section 313, 323, 406, 498-A, 506 IPC registered at Police Station Women, District Ambala.

Learned counsel contends that it is on account of a marital discord that the FIR in question came into being. Learned counsel contends that totally false and vague allegations have been levelled against the petitioner of subjecting his wife to ill treatment on account of his dissatisfaction with the dowry which was received at the time of their marriage. Learned counsel contends that even the allegations attracting the mischief of Section 313 IPC are not supported by any shred of evidence as there was no medical evidence to the said effect. Learned counsel submits that prior to the registration of the FIR, couple of attempts were made with the intervention of respectables to amicable resolve the dispute between the spouses, however, they were in vain.

Notice of motion for 09.03.2022.

At this stage, Mr. Ashok Gupta, Advocate, has put in appearance on behalf of the complainant and filed his Power of Attorney. The same is taken on record.

The parties are *ad idem* that the matter could be referred to the Mediation & Conciliation Centre of this Court for exploring the possibility of an amicable settlement between them.

The petitioner and the complainant are directed to appear before the Mediator at Mediation & Conciliation Centre of this court on 07.12.2021.

To await the report of the Mediator, adjourned to 09.03.2022. Meanwhile, the petitioner is directed to join the

investigation and appear before the investigating agency as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.PC.”

Learned counsel for the petitioner contends that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court and he is not in possession of any article of *Istridhan* of the complainant.

Learned State counsel, on instructions from SI Devender Kaur has stated that the petitioner has joined the investigation and his custodial interrogation is not required but some articles of jewellery are yet to be recovered.

Learned counsel for the complainant has also opposed the bail application on that score only.

The controversy as to whether the articles of *Istridhan* were entrusted to the petitioner and have been misappropriated by him will be a debatable and moot point during the course of trial. The petitioner has joined the investigation in pursuance of the interim directions issued by this Court.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 23.11.2021 is made absolute.

The petition stands allowed.

12.09.2022

Janki

(VIVEK PURI)
JUDGE

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