

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

212

CRM-M-5547-2023

Date of Decision: 24.05.2023

Lakhwinder Singh

...Petitioner

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Gurinder Singh Hayer, Advocate for the petitioner

Ms. Guramrit Kaur, DAG, Punjab
(assisted by ASI Harpreet Singh)

JAGMOHAN BANSAL, J. (ORAL)

1. On 03.02.2023, the following order was passed:-

“Through instant petition under Section 438 of Code of Criminal Code, 1973, the petitioner is seeking anticipatory bail in FIR No. 0210 dated 25.12.2021, under Sections 498-A and 34 of IPC, registered at Police Station Kotbhai, District Sri Muktsar Sahib.

The case of the prosecution is that Jagdeep Singh moved a complaint to police alleging that marriage of his sister was solemnized with Lakhwinder Singh (petitioner) about five years back and they were blessed with a male child. They spent at the time of marriage as much as they could. After marriage, the mother-in-law of his sister being a greedy lady started harassing his sister on the pretext of dowry. They gave clothes and gifts at the time of birth of the child.

Learned counsel for the petitioner inter alia contends that there are no allegations qua the petition

in the FIR. The compromise dated 28.12.2021 was prepared at police station. The child is with the wife. There is possibility of amicable settlement between the parties.

Notice of motion.

On the asking of Court, Mr. Amish Sharma, AAG, Punjab, who is present in court on advance notice, accepts notice on behalf of State-respondent.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 8.2.2023 to explore possibility of settlement.

The petitioner shall pay Rs. 20,000/- to the respondent towards litigation expenses.

To await report, adjourned to 28.2.2023.

In the meantime, the investigating officer shall refrain from taking coercive steps against the petitioner.”

2. Learned State counsel, on instructions from ASI Harpreet Singh, submits that petitioner has joined investigation and thereafter, police after completing investigation has filed challan on 01.05.2023. She further submits that no custodial interrogation of the petitioner is required.

3. In view of above facts and circumstances, the petition is allowed and the interim protection granted to the petitioner vide order dated 03.02.2023 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

4. If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

5. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

24.05.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>