

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

CRM-M-11035-2020

Date of Decision: 29.08.2023

VARINDER KUMAR

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Vishal Munjal, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

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VIVEK PURI, J. (ORAL)

1. Petitioner is seeking anticipatory bail in case bearing FIR No. 31 dated 04.05.2019 under Sections 406, 498-A IPC registered at Police Station Shahpurkandi, Tehsil and District Pathankot.

2. On 09.09.2021, following order was passed by the Co-ordinate Bench:

“As per the report received from the Mediation and Conciliation Centre of this Court, mediation proceedings could not take place on account of outbreak of the pandemic.

Learned counsel appearing for the petitioner submits that the parties are still willing to explore the possibility of an amicable settlement.

In the circumstances, parties are referred back to the Mediation and Conciliation Centre of this Court on 30.09.2021.

Awaiting report for 20.01.2022.

Meanwhile, petitioner is directed to join the investigation as and when required by the investigating officer. 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) Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioner contends that at the earlier instance, notice was issued, the matter was referred for the Mediation and the arrest of the petitioner was stayed. Subsequently, in terms of the order dated September 09, 2021, the petitioner was directed to join the investigation and was directed to be released on interim bail. The mediation remained unsuccessful. In pursuance of the interim directions, the petitioner has joined the investigation and subsequently, re-joined the investigation as directed by this Court. The petitioner is not in possession of any article of *Istridhan*. Moreover, on completion of investigation, challan has been presented against the petitioner.

4. Learned State counsel, on instructions from ASI Naresh Kumar, has not disputed the fact that the petitioner has joined the investigation in pursuance of the interim directions issued by this Court, on completion of the investigation, challan has been presented and the custodial interrogation of the petitioner is not required.

5. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 09.09.2021 is made absolute.

29.08.2023

Janki

(VIVEK PURI)
JUDGE

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