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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-15270-2023 (O&M)
Date of decision : 22.09.2023

Simarjit Singh ... Petitioner(s)

Versus

State of Punjab ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. G.S. Dhillon, Advocate for the petitioner.

Mr. Shubham Kaushik, AAG Punjab.

Mr. Gurjant Singh Swaich, Advocate for
Mr. SPS Aulakh, Advocate for the complainant.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.07 dated 09.01.2023 under Section 420, 498-A, 406, 506, 509 and 354-A of Indian Penal Code, 1860 (IPC) registered at Police Station City 2, Mansa, Punjab.

2. On 27.03.2023 the following order was passed :

“Simarjit Singh has filed petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.07 dated 09.01.2023 under Section 420, 498-A, 406, 506, 509 and 354-A of IPC, registered at Police Station City 2, Mansa, Punjab.

It is argued that all the allegations levelled against him

are false. It is was second marriage of the parties, therefore, it was performed in a simple manner. He denied all the allegations levelled against him regarding demand of dowry or beating given to her.

Notice of motion.

On the asking of this Court, Mr. Kunwarbir Singh, Assistant A.G. Punjab accepts notice on behalf of the State.

Learned counsel representing the State opposed the bail application on the ground that the dowry articles are yet to be recovered and the petitioner is yet to join the investigation.

At this stage, Mr. Suneet Pal Singh Aulakh, Advocate has appeared and filed vakalatnama on behalf of complainant, which is taken on record. It is argued that the matter may be referred to Mediation and Conciliation Centre to explore the possibility of compromise between the parties. Learned counsel for the petitioner is also ready to this proposal.

In view of this, both the parties are directed to appear before the Mediation and Conciliation Centre on 11.04.2023. The petitioner is directed to pay Rs.15,000/- towards litigation expenses to the complainant before the Mediator.

To await the report, list again on 15.05.2023.

In the meantime, the arrest of the petitioner is stayed till next date, subject to the joining of investigation.”

3. Subsequently, the parties had agreed to settle the matter and the matter was referred to the Mediation and Conciliation Centre of this Court.

Before the Mediation and Conciliation Centre, the parties have since arrived

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at a written compromise. The compromise dated 18.08.2023 is also appended with the report of the Mediator.

4. Learned counsel for the complainant states that the parties have since compromised the matter and he has no objection if the order dated 27.03.2023 is made absolute.

5. Learned counsel for the State has also reiterated that the matter has since been compromised between the parties and he has no objection if the order dated 27.03.2023 is made absolute.

6. In view of the above, the order dated 27.03.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

7. Disposed off accordingly. Pending applications, if any, also stand disposed off.

22.09.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO