

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17168-2023 (O&M)

Date of decision : 11.08.2023

Rohit Dhawan

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Dhiraj Chawla, Advocate for the petitioner.

Ms. Mayuri Lakhanpal Kalia, DAG Haryana.

Mr. L.S. Lakhanpal, 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.0028 dated 27.01.2023 under Sections 498-A, 406, 323, 34 of the Indian Penal Code, 1860, registered at Police Station Agroha Hisar (Annexure P-1).

2. On 12.04.2023 the following order was passed :

“Notice of motion.

Ms. Ankita Ahuja, Assistant Advocate General, Haryana, accepts notice on behalf of respondent-State and Mr. L.S. Lakhanpal, Advocate has put in appearance on behalf of complainant by filing memorandum of appearance.

Learned counsel for the petitioner as well as the complainant are agreeable that issues between the

parties can be settled by way of mediation and they may be referred to Mediation and Conciliation Centre of this Court for the purpose.

Ordered accordingly.

The parties are directed to appear before the Mediator on 25.04.2023.

Awaiting report of the Mediator, adjourned to 24.07.2023.

Meanwhile, the petitioner's arrest shall remain stayed to facilitate mediation proceedings. ”

3. Learned counsel for the petitioner would contend that pursuant to the said order, the petitioner has joined investigation and has fully cooperated. Learned counsel would further contend that the matter now stands settled before the Mediation and Conciliation Centre of this Court. A report to this effect has also been sent by the Mediation and Conciliation Centre along with settlement agreement dated 06.07.2023 entered into by the parties. As per the settlement agreement, the parties have settled all their disputes.

4. Learned counsel for the State has submitted that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. Learned counsel for the complainant has stated that the parties have settled all their disputes and the complainant has no objection if the order dated 12.04.2023 is made absolute.

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6. In view of the above, the order dated 12.04.2023 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.

11.08.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

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