

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207-1

CRM-M No.18469 of 2023

Date of Decision : 21.12.2023

Gurparshad Singh

....Petitioner

VERSUS

State of Punjab and another

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Ms. Tuneet Walia, Advocate for the petitioner.

Mr. Adhiraj Singh Thind, AAG Punjab for respondent No.1.

Mr. Sherry K. Singla, Advocate for respondent No.2.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.0135 dated 08.10.2022 under Sections 498-A and 406 of the Indian Penal Code, 1860 registered at Police Station Nangal District Rupnagar.

2. On 15.05.2023 the following order was passed :

“Learned counsel for the petitioner pointed out that earlier the petitioner was in foreign country but now he has come back to India. He is ready to reconcile the matter with respondent No. 2/complainant. The bail application filed by Sarup Kaur – mother-in-law is pending for 17.07.2023. There is element of settlement on either side between the parties. Therefore, both the

parties are directed to appear before Mediation and Conciliation Centre of this Court on 25.05.2023. The petitioner is burdened with litigation expenses of Rs. 20,000/- to be paid to the respondent No. 2/complainant before the Mediator.

The present case be listed alongwith connected case CRM-M-757-2023 for 17.07.2023.

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

3. Thereafter, on 31.10.2023, the following order was passed:

“Learned counsel for the petitioner states that the only articles left as stated in the FIR are nath and bangles, value of which is about Rs.1,30,000/-. Learned counsel for the petitioner on instructions from the petitioner states that the petitioner is willing to pay the said amount in lieu of nath and bangles. The said offer is acceptable to learned counsel for respondent No.2.

The Mediator has asked for extension of time. Let the matter be put up before the Mediation and Conciliation Centre of this Court. Parties are directed to appear there on 08.11.2023 at 10.00 a.m.

Let a demand draft of Rs.1,30,000/- in the name of respondent No.2 be handed over to her on the date fixed before the Mediation and Conciliation Centre of this Court.

List on 21.12.2023.

Interim order to continue.”

4. Learned counsel for the petitioner states that the petitioner has since joined the investigation and fully cooperated.
5. Learned State counsel on instructions from ASI Mehar Singh has stated that the petitioner has since joined investigation and fully cooperated and that he is no longer required for further custodial interrogation as of now. It has further been stated that pursuant to order dated 31.10.2023, a demand draft of Rs.1,30,000/- was also handed over to respondent No.2 before the Mediator.
6. In view of the above, the order dated 15.05.2023 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.

21.12.2023
jk

(ALKA SARIN)
JUDGE

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