

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.21197 of 2023 (O&M)
DATE OF DECISION : 08.12.2023

Kewal Krishan and AnotherPetitioner

versus

State of PunjabRespondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Mohan Singh Chauhan, Advocate for the petitioners

Mr. Adhiraj Singh Thind, AAG Punjab

Mr. Vikas Gutpa, Advocate for respondent No.2

ALKA SARIN, J. (Oral):

1. On 16.05.2023 the parties were directed to appear before the Mediation & Conciliation Centre and arrest of the petitioners was stayed in the meanwhile. Subsequently, the parties appeared before the Mediation & Conciliation Centre and arrived at an amicable settlement. On 15.09.2023 the following order was passed :

“As per the Report of the Mediator at Flag ‘A’, the parties have amicably settled their dispute and the written settlement/agreement, purported to have been signed by the parties, has also been annexed with the Report.

Learned counsel for the petitioners submits that though vide the order dated 16.05.2023, the Co-ordinate Bench had stayed the arrest of the petitioners so as to facilitate the Mediation proceedings but they were not directed to join in the investigation and they are ready and willing to do so.

Accordingly, the petitioners are directed to join in the investigation on 29.09.2023 at 10:00 AM sharp and if there need be, even thereafter and in the event of their arrest, they shall be released on interim bail subject to their furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer and they shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.

Adjourned to 05.12.2023.”

2. The learned counsel for the parties are *ad idem* that the parties have settled their disputes and a settlement agreement has been arrived at between them before the Mediation & Conciliation Centre on 26.07.2023. Learned counsel for the petitioners states that the petitioners have since joined the investigation.

3. Learned counsel for the State, on instructions from ASI-Mandeep Kaur, states that the petitioners have joined the investigation and they are no longer required for further custodial interrogation as of now.

4. In view of the above, the order dated 15.09.2023 is made absolute. The petitioners shall, however, join investigation as and when called. The petitioners shall also abide by all the terms and conditions as

specified under Section 438(2) of the Code of Criminal Procedure, 1973.

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

08.12.2023
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(ALKA SARIN)
JUDGE

<u>NOTE:</u> Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
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