

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**203**

CRM-M-25903-2023

Date of Decision: 16.10.2023

Mohd. Naseen @ Mohammad Naseem

.... Petitioner

Versus

State of U.T. Chandigarh

.... Respondent

**CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present: - Mr. N.S. Dadwal, Advocate for the petitioner.

Mr. Manish Bansal, APP for U.T. Chandigarh.

Mr. Mukesh Yadav, Advocate for the complainant.

**NIDHI GUPTA, J. (ORAL)**

The petitioner has filed the present 1<sup>st</sup> petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 0007 dated 08.01.2022 registered under Sections 406 and 498-A IPC at Women Police Station, Chandigarh.

On 22.05.2023, this Court had passed the following order :-

*“The present petition has been preferred seeking grant of anticipatory bail in case FIR No. 0007 dated 08.01.2022 registered under Sections 406 and 498-A IPC at Police Station Women Police Station, Chandigarh.*

*Notice of motion.*

*Mr. Ashu Mohan Punchi, P.P., UT with Mr. Viranjeet Singh Mahal, Addl. P.P., UT, Chandigarh on instructions from ASI Ravinder Singh, accepts on behalf of the State-UT.*

*At the outset, Mr. Muskesh Yadav, Advocate has put*

*in appearance on behalf of the complainant and filed his Vakalatnama, which is taken on record.*

*Both the parties are ad idem that, in fact, the matter was compromised in the Mediation and Conciliation Centre at District Court, Chandigarh with the settlement amount of Rs.3 lacs, but the petitioner is yet to pay a balance amount of Rs.1 lac.*

*Per contra, learned counsel for the petitioner submits that, the petitioner is a very poor person and has sold his Buffalo also, to pay the amount of Rs.2 lacs, and the petitioner be granted some time as he will make an earnest effort and positively remit the said balance amount also, which will in fact bring the entire litigation, to an end.*

*In the light of the above, the petitioner is directed to join investigation on 30.05.2023 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter.*

*In the even of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to be satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.*

*Adjourned to 16.10.2023.*

*The petitioner is expected to remit the entire balance amount on or before the next date of hearing.”*

Learned counsel for the petitioner submits that in compliance of the order dated 22.05.2023 passed by this Court, the petitioner has joined the investigation.

Learned APP for U.T. Chandigarh, on instructions from ASI Ravinder Singh, states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation; and is

co-operating with the investigating agency, and no further interrogation is required, at this stage. Further, learned APP for U.T. Chandigarh, admits the factum of compromise effected between the parties.

In view of the above, the order dated 22.05.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

**16.10.2023**  
*rishu*

**( NIDHI GUPTA )**  
**JUDGE**

**Whether speaking/reasoned**

**Yes/No**

**Whether Reportable**

**Yes/No**