

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

[210]

CRM-M-28703-2022

Date of Decision: 10.02.2023

Charanjit Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. K.S.Brar, Advocate for
Mr. Gurpreet Singh Thind, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Punjab.

Mr. Gurfateh Singh, Advocate for
respondent No.2-complainant.

JAGMOHAN BANSAL, J. (Oral)

Through instant petition under Section 438 of Code of Criminal Code, 1973, the petitioner is seeking anticipatory bail in FIR No.13 dated 12.05.2022 (Annexure P-1) registered at Police Station Women Cell, Bathinda District Bathinda under Sections 498-A and 406 IPC.

This Court vide order dated 19.01.2023 granted interim protection to the petitioner. The relevant extracts of which read as:

“On 31.08.2022, the following order was passed.

“Mr. Gurfateh Singh Sandhu, Advocate has put in appearance on behalf of respondent No.2-complainant and has filed his 'Power of Attorney', which is taken on record.

Counsel representing the private parties are ad idem that there is a possibility of settlement between the parties, for which purpose, the matter be referred to the Mediation and Conciliation Centre of this Court.

Their request is accepted.

Parties are directed to appear before the Mediation and Conciliation Centre of this Court on 06.09.2022 at 10.00 A.M.

List on 19.01.2023 to await the report of learned Mediator.

On the day the parties will appear before the Mediation Centre, petitioner will pay a sum of Rs.30,000/- by way of litigation and travelling expenses to the complainant-respondent No.2, which will be a condition precedent to initiation of mediation proceedings.

In the meanwhile, arrest of the petitioner shall remain stayed till the next date.”

In compliance of above order, the parties appeared before Mediation and Conciliation of this Court, however, mediation fructified.

The arrest of the petitioner was stayed, however, he was not directed to join investigation.

Learned counsel for the petitioner submits that petitioner is ready and willing to join investigation and cooperate the Investigating Officer.

In the meanwhile, at the first instance, the petitioner is directed to appear before Investigating Officer on 25.01.2023 and thereafter as directed by Investigating Officer. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bonds to the satisfaction of Investigating/Arresting Officer. The petitioner shall co-operate the Investigating Officer.”

Learned State counsel on instructions from ASI Resham Singh submits that petitioner has joined investigation and no custodial interrogation is required.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 19.01.2023 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State

would be at liberty to move an application for cancellation of bail granted by this order.

(JAGMOHAN BANSAL)
JUDGE

10.02.2023
Anjal

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>