

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

294

CRM-M-29298-2022

Date of Decision: 13.03.2023

Sukhchain Singh

...Petitioner

Versus

State of Punjab and Another

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Vikas Gupta, Advocate for the petitioner

Mr. Shiva Khurmi, AAG, Punjab
(assisted by ASI Jaswinder Singh)

JAGMOHAN BANSAL, J. (ORAL)

On 12.07.2022, the following order was passed:-

“The learned counsel for the petitioner has submitted that the scope of the present petition is only to the extent that of a matrimonial dispute and the petitioner is ready and willing to settle the same. Therefore, the same can be sent to the Mediation and Conciliation Centre for the purpose of amicable settlement between the petitioner and respondent No.2 respectively.

Notice of motion.

Mr. Davinder Bir Singh, DAG, Punjab accepts notice on behalf of respondent No.1.

Let separate notice be issued to respondent No.2 for 5.9.2022 on filing of process fee etc.

The petitioner is directed to pay Rs.20,000/- as litigation charges to respondent No.2 by way of demand draft on the date when the case is fixed.

Till the next date of hearing, the arrest of the petitioner shall remain stayed.”

On 05.09.2022, the following order was passed:-

“Mr. Amit Arora, Advocate has put in appearance on behalf of complainant-respondent No.2 and has filed Vakalatnama, which is taken on record.

A demand draft of Rs.20,000/- has been paid to complainant respondent No.2 by way of litigation charges in terms of order passed by this Court. Xerox copy of the draft has been retained on the record.

Counsel representing the private parties are ad idem that the matter deserves to be referred to the Mediation and Conciliation Centre of this Court.

Ordered accordingly.

Parties are directed to appear before the Mediation Centre on 14.09.2022 at 10:00 A.M.

List on 13.03.2023 to await the report of the learned Mediator.

The petitioner shall join the investigation on 12.09.2022 at 11:00 A.M. at Police Station Sirhali, District Tarn Taran and in the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

The parties have amicably settled their grievances. As per report of the Mediator of Mediation and Conciliation Centre of this

Court, the parties have entered into compromise/settlement dated 29.11.2022.

Learned State counsel, on instructions from ASI Jaswinder 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 05.09.2022 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.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

13.03.2023

Mohit Kumar

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*