

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M No.29347 of 2023

Date of Decision : 20.10.2023

Navesh Batra @ Nivesh Batra

....Petitioner

VERSUS

State of Punjab and Another

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sunil Sihag, Advocate for
Mr. Karandeep S. Sidhu, Advocate for the petitioner.
Mr. M.S. Tiwana, AAG Punjab.

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.37 dated 04.05.2023 under Sections 406, 498-A, 323 and 506 of the Indian Penal Code, 1860 registered at Police Station Arni Wala, District Fazilka.

2. On 24.07.2023 the following order was passed :

“This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.37 dated 04.05.2023 under Sections 406/498-A/323/506 of the Indian Penal Code, 1860 registered at Police Station Arni Wala, District Fazilka.

Notice of motion.

Mr. Adhiraj Singh, AAG Punjab accepts notice on

behalf of respondent No.1 while Mr. Judgepreet Singh Warring, Advocate has accepted notice on behalf of respondent No.2.

Learned counsel for respondent No.2, on instructions from respondent No.2, states that respondent No.2 is open to exploring the possibility of a compromise and would have no objection if the matter is referred to the Mediation & Conciliation Centre of this Court.

Let the parties appear before the Mediation & Conciliation Centre on 08.08.2023. The petitioner shall bring a bank draft of Rs.30,000/- in the name of respondent No.2-wife towards litigation expenses and shall hand over the same to respondent No.2 before the Mediator on the next date of hearing.

Awaiting the report of the Mediator, list the matter before the Court on 20.10.2023.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.”

3. Learned counsel for the petitioner states that the parties have

resolved all their disputes before the Mediation and Conciliation Centre of this Court. A written settlement has also been entered into between the parties on 11.10.2023, which has been appended with the report of the Mediator. Learned counsel for the petitioner has further pointed out that pursuant to the settlement between the parties, a petition under Section 13-B of the Hindu Marriage Act, 1955 has also been filed in which their statements of the first motion stand recorded. It has further been stated that the petitioner has since joined the investigation and fully cooperated.

4. Learned counsel for the State on instructions from ASI Bhajan Dass 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. Learned State counsel has also stated that the parties have compromised the matter before the Mediation and Conciliation Centre of this Court.

5. In view of the above, the order dated 24.07.2023 is made absolute. The petitioner 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.

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

20.10.2023

jk

(ALKA SARIN)
JUDGE

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