

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

**CRM-M-29827-2023
Date of decision: 28.08.2023**

MALKEET SINGH BAJWA

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Anurag Singh Tagra, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

1. Ms. Harpreet Kaur Gill, Advocate for Mr. Harmurad Singh Gill, Advocate has put in appearance on behalf of respondent No.2 and filed Vakalatnama, which is taken on record.
2. On 06.06.2023, the following order was passed by the Co-ordinate Bench of this Court:-

“1. Petitioner-Malkeet Singh Bajwa, aged 26 years has filed the instant petition for seeking concession of anticipatory bail in case FIR No.0025 dated 23.04.2023 under Sections 406, 498-A of IPC registered at Police Station Women, SAS Nagar, Mohali, Punjab.

2. Counsel for the petitioner submits that petitioner and complainant namely Simran Kaur got married on 31.03.2019 and no child is born out of said wedlock. He submits that as per the allegations, there was a demand of money from the complainant's family even prior to the marriage and some of the demands were also fulfilled even after the marriage. However, there is no substantial evidence with the complainant to authenticate such allegations.

3. Counsel for the petitioner further refers to the para 2 of the impugned order, wherein, factual submission has been recorded that in response to the issuance of notice under Section 41(A) of Cr.P.C., petitioner went to join the investigation on 07.05.2023, but the investigating

officer did not allow him to join the investigation and rather tried to pass away the time of seven days allotted to him in the notice. Thus, by referring to the said fact addressed and recorded in the impugned order, counsel for the petitioner reiterates his submissions before this Court by saying that even today, petitioner is ready to join the investigation.

4. Notice of motion.

5. On asking of Court, Mr. Joginder Pal Ratra, Sr. DAG, Punjab, who is present in Court, accepts notice on behalf of respondent No.1(State) and complainant-Simran Kaur, who is present in Court and is identified by the investigating officer-ASI Mandeep Kaur, accepts notice. She makes an oral request to implead her as party/respondent No.2 in the present petition.

6. Accordingly, complainant i.e. "Simran Kaur w/o Malkeet Singh Bajwa and d/o Sardar Avtar Singh r/o Village Jhurheri, Tehsil and District Mohali" is ordered to be impleaded as respondent No.2.

Counsel for the petitioner would supply amended memo of parties within three days from today in the registry.

7. Counsel for the petitioner and respondent No.2/complainant in- person are ad idem on the issue that the matter may be referred to the Mediation and Conciliation Centre of this Court, so that all the disputes can be resolved peacefully by way of amicable settlement.

8. In view of the stand of the contesting parties, both the parties i.e. petitioner-Malkeet Singh Bajwa and respondent No.2-Simran Kaur are directed to appear before the Mediation and Conciliation Centre of this Court on 19.07.2023. Needless to say that parties shall remain present on each and every date fixed by the said Forum.

9. Awaiting report, adjourned to 28.08.2023.

10. In the meanwhile, the petitioner is directed to join the investigation on 14.06.2023 or as and when required to do so by the Investigating Agency. In the event of his arrest, the petitioner shall be released on ad-interim bail, subject to his furnishing bail bonds to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the conditions laid down under Section 438 Cr.P.C."

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dispute has been amicably settled between the parties in the Mediation and Conciliation Centre of this Court. Furthermore, the petitioner has joined the investigation in pursuance of interim directions.

4. Learned State counsel has not disputed the aforesaid factual aspects and also submits that the petitioner has joined the investigation and his custodial interrogation is not required.

5. Learned counsel for respondent No.2 has also not disputed the fact that the amicable settlement effected between the parties.

6. In terms of order dated 06.06.2023, the matter was referred to Mediation and the parties were directed to appear before the Mediation and Conciliation Centre of this Court. As per the report, the parties have settled their dispute by way of an amicable settlement/agreement. The settlement/agreement has also been annexed along with the report. Furthermore, in pursuance of interim directions, the petitioner has joined the investigation and his custodial interrogation is not required.

7. In view of the aforesaid submissions, the order dated 06.06.2023, granting interim bail to the petitioner is made absolute.

8. The petition is allowed.

28.08.2023

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(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No