

CRM-M-31027-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31027-2023 (O&M)
Date of decision : 21.09.2023

Ramesh Kumar ... Petitioner(s)
Versus
State of Punjab and another ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ritesh Aggarwal, Advocate for the petitioner.
Mr. Shubham Kaushik, AAG Punjab.

ALKA SARIN, J. (ORAL)

1. 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.18 dated 28.03.2023 registered under Section 498-A of the Indian Penal Code, 1860 at Police Station Women Cell, Mohali, Punjab.

2. On 07.07.2023 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.18 dated 28.03.2023 registered under Section 498-A of the Indian Penal Code, 1860 at Police Station Women Cell, Mohali, Punjab.
Learned counsel for the petitioner would contend that a totally false case has been registered against the petitioner and that he had never taken any dowry.

Learned counsel would further contend that it was actually the petitioner who had given certain amounts to the complainant.

On the oral request of counsel for the petitioner, Ms. Ritika Singla - complainant - is impleaded as party respondent No.2. Mr. Sanjeev Sharma, Advocate has filed his Vakalatnama on behalf of Ms. Ritika Singla - respondent No.2 - and states that the amount has in fact been transferred from the complainant's account to the petitioner's account. He further states that there may be a chance of an amicable settlement between the parties and prays that the matter may be referred to the Mediation and Conciliation Centre of this Court.

In view of the above, the parties are directed to appear before the Mediation and Conciliation Centre of this Court on 24.07.2023 at 10.00 AM. The petitioner shall bring a demand draft in the sum of Rs.30,000/- in the name of the his wife - Ms. Ritika Singla - towards litigation expenses and handover the same to her before the Mediator.

List on 21.09.2023.

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. Pursuant to the order dated 07.07.2023, the parties appeared before the Mediation and Conciliation Centre of this Court and have since

arrived at a settlement. The settlement dated 01.09.2023 has also been appended with the report of the Mediation and Conciliation Centre of this Court.

4. Learned counsel for the State, on instructions from HC Harjit Singh, has stated that the petitioner has since joined investigation and has fully cooperated. Learned State counsel has also pointed out that the parties have since compromised the matter.

5. Ms. Ritika Singla, complainant-respondent No.2 is present in Court today and has reiterated that the parties have since compromised the matter and she has no objection if the order dated 07.07.2023 is made absolute.

6. In view of the above, the order dated 07.07.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

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

21.09.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

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