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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-33383-2023 (O&M)
Date of decision : 06.10.2023

Gaurav Puri ... Petitioner(s)

Versus

State of Punjab and Another ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Mandeep S. Sachdev, Advocate for the petitioner.
Mr. Harjinder Singh Sidhu, AAG Punjab.
Mr. Himanshu Puri, Advocate for respondent No.2.

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.9 dated 05.05.2023 under Section 498-A of the Indian Penal Code, 1860 registered at Police Station Women, Malerkotla, District Malerkotla.

2. On 14.07.2023 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.9 dated 05.05.2023 under Section 498-A of the Indian Penal Code, 1860 registered at Police Station Women, Malerkotla, District Malerkotla.

Learned counsel for the petitioner would contend that the petitioner is willing to settle the matter. On the oral request of the learned counsel, the complainant - Priya Handa wife of Gaurav Puri presently residing at Village Dhaler Kalan, Sandaur, Malerkotla - is impleaded as respondent No.2.

Mr. Sunny Singla, Advocate puts in appearance on behalf of respondent No.2 and has accepted the notice on her behalf. Registry to carry out necessary addition in the memo of parties. Learned counsel for respondent No.2 states that there is a chance of an amicable settlement between the parties and for the purpose the parties may be referred to the Mediation & Conciliation Centre.

Let the parties appear before the Mediation & Conciliation Centre on 04.08.2023 at 10.00 AM. The petitioner shall bring a bank draft for Rs.30,000/- in the name of the respondent No.2-wife towards litigation expenses on the next date of hearing which shall be handed over to her before the Mediator.

Awaiting the report of the Mediator, list the matter before the Court on 06.10.2023.

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 would contend that mediation has failed. Learned counsel would further contend that pursuant to the order dated 14.07.2023, the petitioner has joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Anait Khan, has stated that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 14.07.2023 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.

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

06.10.2023

Yogesh Sharma

(ALKA SARIN)

JUDGE

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