

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

207

CRM-M-30650-2019

Date of Decision: 20.02.2023

Amrinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr.A.P. Kaushal, Advocate for the petitioner

Mr. Amish Sharma, AAG, Punjab
(assisted by HC Nirdosh Singh)

Mr. Amit Sharma, Advocate for the complainant

JAGMOHAN BANSAL, J. (ORAL)

On 05.04.2022, the following order was passed:-

“Vide order dated 22.7.2019 both the parties were referred to the Mediation & Conciliation Centre of this Court. It was further directed that no coercive means shall be adopted against the petitioner. However, due to the ongoing pandemic the mediation proceedings could not take place.

Learned counsel for the both the parties are ad idem that parties may be referred to the Mediation & Conciliation Centre of this Court for exploring the possibilities of amicable solution to the dispute.

In view of the above position, both the parties are directed to appear before the Mediation & Conciliation Centre of this Court on 26.4.2022.

Learned State counsel, however, submits that arrest of the petitioner was stayed vide order dated 22.7.2019 and the investigation is held up.

In view of the above position, order dated 22.7.2019 is modified to the extent of directing the petitioner to join the investigation.

Adjourned to 22.8.2022.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-

(i) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.

(ii) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iii) That the petitioner shall not leave India without prior permission of the court.”

Learned counsels for the parties are *ad-idem* that matter stands amicably settled.

Learned counsel for private respondent/complainant submits that he has no objection if interim protection granted to the petitioner is made absolute.

Learned State counsel, on instructions from HC Nirdosh Singh, submits that the petitioner has already 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 05.04.2022 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

20.02.2023

Mohit Kumar

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*