

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**215****CRM-M No.34212 of 2023****Date of Decision : 18.12.2023**

Sagar Sethi

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Karan Bhardwaj, Advocate for the petitioner.

Mr. Jashandeep Singh, AAG Punjab.

Mr. Tarun Singla, Advocate for the complainant.

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.62 dated 09.05.2023 under Sections 406 and 498-A of the Indian Penal Code, 1860 registered at Police Station Mansa City-1, District Mansa.

2. On 18.07.2023 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.62 dated 09.05.2023 under Section 406, 498-A of the Indian Penal Code, 1860 registered at Police Station Mansa City-1, District Mansa.

Learned counsel for the petitioner, at the outset, states that the petitioner is willing to settle the matter and that he is also willing to return all the dowry

articles as well as the Istridhan. On his oral request, the complainant - Mamta Bhardwaj wife of Sagar Sethi and daughter of Kulbhushan Bhardwaj, resident of Ward No.25, Silver City, Mansa - is impleaded as respondent No.2 in the present petition.

Notice of motion.

Mr. Adhiraj Singh, AAG Punjab accepts notice on behalf of respondent No.1-State of Punjab while Mr. Tarun Singla, Advocate puts in appearance on behalf of respondent No.2 and has accepted notice on her behalf.

Learned counsel for respondent No.2 states that respondent No.2 is open to exploring the possibility of a compromise. He further states that the gold articles as well as the car have not been returned. Learned counsel for the petitioner states that the car would be handed over to the complainant at her Ludhiana residence by 5.00 P.M. tomorrow.

In view of the statement made by the learned counsel, the parties are directed to appear before the Mediation & Conciliation Centre of this Court on 03.08.2023 at 10.00 AM.

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

Awaiting the report of the Mediator, list the matter before the Court on 16.10.2023.

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 though mediation between the parties had failed, however, the parties have entered into a compromise and that the petitioner has since joined the investigation and fully cooperated.

4. Learned counsel for the State on instructions from ASI Jasbir Singh 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.

5. In view of the above, the order dated 18.07.2023 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.

(ALKA SARIN)
JUDGE

18.12.2023
jk

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