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

**CRM-M-35247-2023
Date of decision: 29.11.2023**

JAYANT JEET PRASHAR**.....Petitioner****versus****STATE OF PUNJAB****.....Respondents****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. R.S. Sekhon, Advocate and
Mr. A.P.S. Virk, Advocate
for the petitioner.

Mr. Harpreet Singh, Addl. A.G., Punjab.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present petition is for releasing the petitioner-husband on anticipatory bail in FIR No.129 dated 08.11.2022 registered under Sections 406 and 498-A IPC at Police Station Women Cell, District Ludhiana (Annexure P-1).

SI Sukhwinder Singh

2. The present FIR was registered at the instance of the complainant-Aarti Sharma with the allegation that her marriage was solemnized with the petitioner Jayant Jeet Prashar on 13.10.2019 and out of the wedlock, one female child was born on 19.09.2021. It was a love marriage. However, the complainant was duped by the accused. She was harassed by the petitioner and his family members. After marriage, the accused made a demand of Rs.2 lacs from the complainant and some of the amount was transferred on the eve of Diwali for purchase of LED. In February 2020 and March 2020, the petitioner took online loans by using credit card of the complainant. In July 2020, the petitioner and his co-accused mortgaged the gold ornaments of the complainant. There are allegations

that petitioner is addicted to liquor and he used to beat up the complainant.

Ultimately, on 16.08.2021, the complainant came to the house of her brother in Chandigarh where she gave birth to a female child on 19.09.2021.

3. The petitioner was granted interim bail vide order dated 24.07.2021 passed by a Coordinate Bench of this Court which is as under:-

“xxx xxx xxx xxx

The petitioner herein seeks the relief of anticipatory bail in the criminal case arisen out of the FIR bearing No.129 dated 08.11.2022 registered at Police Station Women Cell, District Ludhiana, under Sections 406 & 498-A IPC.

Learned counsel for the petitioner, inter-alia, contend that due to the outbreak of pandemic Covid-19, the petitioner lost his job and faced the financial crisis and the complainant, instead of co-operating with him in such difficult time, left his company and thereafter, she has got him falsely implicated in the criminal case under reference and moreover, the petitioner is ready to join in the investigation as and when required and he is not involved in any other criminal case.

Notice of motion.

Mr. Mohinder Singh Joshi, learned Additional Advocate General, Punjab, who has appeared in this case in pursuance of the copy of the instant petition having been sent to the respondent-State in advance, accepts the notice and he seeks some time to get proper and complete instructions qua the present matter from the quarter concerned and if deemed necessary, then - to file the status-report also.

Mr. Omkar Chauhan, Advocate, has also put in appearance on behalf of the complainant and has submitted his Memorandum of Appearance in the Court and the same has been placed on the file. He seeks time to file the Power of Attorney on behalf of his client.

Adjourned to 29.11.2023.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal as well as surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.

At this stage, Learned counsel for the petitioner as well as learned counsel for the complainant jointly request for referring the matter to the Mediation and

Conciliation Centre of this Court to explore the possibility of some amicable settlement of the dispute between the parties.

Let the present matter be put up before the afore-said Centre on 23.08.2023.

The petitioner and the complainant, through their respective counsels, are directed to appear there on the said date.

The report of the Mediator be awaited for the date as fixed in the main petition.

xxx xxx xxx xxx”

4. Today, the learned State counsel has confirmed that the petitioner has joined investigation on 25.11.2023 and that most of the recovery has been effected from the petitioner.
5. No useful purpose would be served by sending the petitioner to custody. There is no apprehension of the petitioner absconding, as such, in view of the above and the reasons recorded in the previous order dated 24.07.2023, order dated 24.07.2023, granting interim bail to the petitioner, is made absolute subject to the conditions laid down under Section 438(2) Cr.P.C.
6. The present petition is disposed of accordingly.

(HARPREET KAUR JEEWAN)
JUDGE

29.11.2023
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<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>