

205 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35273-2023
Date of Decision: 17.11.2023

RAMAN KUMAR

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Petitioner-in person with
Mr. Aman Pratap Singh, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG Punjab.

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VIVEK PURI, J. (ORAL)

1. On 24.07.2023, following order was passed by the Co-ordinate

Bench:

“The petitioner seeks grant of anticipatory bail in case bearing FIR No. 155 dated 17.05.2023 registered under Section 498-A IPC at Police Station Civil Lines Batala, District Batala.

Briefly, the aforesaid FIR was registered on the basis of complaint moved by complainant-Meena Rani, alleging therein that her marriage with Raman Kumar (petitioner herein) was solemnized on 21.11.2021 and sufficient dowry including gold ornaments, clothes etc. was given by her parents. She lived in her matrimonial home for about one year and during that period, the petitioner used to give beatings for bringing less dowry and demanded Rs.10,00,000/- to purchase a plot for raising construction of a new house. Her sister-in-law and brother-in-law used to instigate the petitioner for raising the aforesaid demand of Rs.10,00,000/- for purchasing plot. Enquiry was conducted upon the said complaint and formal FIR was registered.

Learned counsel, inter alia, contends that the petitioner has falsely been implicated in the instant case. The complainant was earlier married to one Pankaj @ Sonu and divorce by way of mutual consent under Section 13-B of the Hindu Marriage Act, 1955, was granted vide order dated 17.11.2021 (Annexure P-1). She solemnized

second marriage with the petitioner on 21.11.2021 and the complaint was moved by the complainant on 16.01.2023. There is delay in lodging the FIR and motive of the complainant is to grab money from the petitioner. No date or time was mentioned as to when the alleged beatings was given or demand was raised. Nothing has to be recovered from the petitioner, therefore, his custodial interrogation is not required. The petitioner is ready to join the investigation as and when required and shall abide by all the terms and conditions imposed upon him.

Notice of motion.

On the asking of Court, Ms. Kanica Sachdeva, AAG, Punjab, accepts notice on behalf of the respondent-State, whereas, Mr. L.S. Lakhanpal, Advocate, has put in appearance on behalf of the complainant and filed his Vakalatnama in Court today, which is taken on record.

Learned counsel for the State as well as learned counsel for the complainant seek time to file reply/status report.

At the joint request of learned counsel for the parties, the matter is referred to the Mediation and Conciliation Center of this Court for exploring the possibility of an amicable settlement between the parties.

The parties are directed to appear before the Mediation and Conciliation Center of this Court on 02.08.2023 at 10:00 A.M.

Adjourned to 17.11.2023, awaiting report of the Mediator and for filing of reply/status report by the respondent-State and complainant.

In the meanwhile, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;

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/her from disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.”

2. As per the report received from the Mediator, the matrimonial dispute has been amicably settled between the parties.

3. Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.

4. Learned State counsel, on instructions from ASI Palwinder Singh, has submitted that the petitioner has joined the investigation and his custodial interrogation is not required.

5. Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 24.07.2023 is made absolute.

17.11.2023

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No