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

CRM-M-35667-2023
Date of decision : 31.10.2023

RINKU GILL AND ANR

....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

....Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Kuldeep S. Siwatch, Advocate for the petitioners.

Mr. Gaurav Bansal, DAG, Haryana.

Mr. Kapil Gupta, Advocate for respondent No.2.

PANKAJ JAIN, J. (ORAL)

On 28.08.2023, the following order was passed :-

“1. Learned counsel for the petitioner and private respondent submit that there is a chance of amicable settlement of the matter and the matter may be referred to mediation Centre.

2. Let the parties be appear before the Mediation and Conciliation Centre of this Court on 18th September, 2023.

3. List on 31st October, 2023, for reports.

4. In the meantime, arrest of the petitioner is stayed, subject to his joining investigation within ten days.”

2. As per the report received from the Mediation Centre the parties have amicably settled the matter. Settlement Agreement in writing dated 3rd of October, 2023 has been placed on record.

2. Today, Ld. State Counsel on instructions from SI Rai Singh submits that the petitioners have already joined investigation and are no more required for custodial interrogation.

3. Without commenting on the merits of the case and keeping in view the fact that the parties have amicably settled the matter, order dated 28.08.2023 is made absolute, subject to the conditions as enumerated under Sections 438(2) Cr.P.C.

4. This order should not be treated as "blanket" order. It will not be read granting the petitioners indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

5. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioners.

6. The petitioners shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act in regard to a discovery of facts made in pursuance of information supplied by the petitioners in case the occasion arises.

7. It will be open to the police or the investigating agency to move this Court for a direction under Section 439(2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to

witnesses with a view to influence outcome of the investigation or trial.

8. Petition stands disposed off accordingly.

October 31, 2023		(Pankaj Jain)
Dpr		Judge
Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No