

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

204

CRM-M-39057-2022

Date of Decision: 11.05.2023

Baljinder Kaur and Another**...Petitioners****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. G.S. Dhillon, Advocate for the petitioner

Mr. Shiva Khurmi, AAG, Punjab
(assisted by SI Davinder Singh)Mr. Aashish Bhagad, Advocate for
Mr. Ashwani Talwar, Advocate for respondent No.2

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Section 438 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') are seeking concession of anticipatory bail in FIR No.0002 dated 07.01.2022 under Sections 420, 498-A and 120-B of Indian Penal Code, 1860 (for short 'IPC') registered at Police Station NRI, District Police Commissionerate Ludhiana, District Ludhiana.

2. On 27.09.2022, the following order was passed:-

“Mr. Ashwani Talwar, Advocate has put in appearance on behalf of respondent No.2 and has filed Vakalatnama, which is taken on record. An amount of Rs.35,000/-, in cash, has been handed over to him towards litigation and travelling expenses in compliance of order passed by this Court.

On a consensus reached at between the counsel representing the private parties, matter is referred to the Mediation and Conciliation Centre of this Court.

Parties are directed to appear before the Mediation Centre on 11.10.2022 at 10:00 A.M.

List on 21.02.2023 to await the report of the learned Mediator.

In the meanwhile, arrest of the petitioner shall remain stayed till the next date.

Since the husband of the complainant-respondent No.2 is stated to be in Australia, learned Mediator is requested to associate him through the medium of video conferencing.”

3. Learned counsels for the petitioner and complainant are *ad idem* that parties have arrived at a compromise and they have executed settlement deed dated 28.03.2023 before Mediation and Conciliation Center of this court.

4. Learned State counsel submits that petitioners have joined investigation and no custodial interrogation is required.

5. In view of above facts and circumstances, the petition is allowed and the interim protection granted to the petitioners vide order dated 27.09.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

6. If the petitioners or their 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.

7. 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

11.05.2023
Mohit Kumar

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