

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

210

CRM-M-39062-2022

Date of Decision: 15.05.2023

Deepinder Singh alias Deepinder Singh Kundra**...Petitioner****Versus****State of Punjab****...Respondent****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. Rahi Mehra, Advocate for the petitioner
Mr. Shiva Khurmi, AAG, Punjab
(assisted by ASI-Charan Singh)

JAGMOHAN BANSAL, J. (ORAL)

1. On 31.08.2022, the following order was passed:-

“ Present petition is under Section 438 Cr. P.C. for seeking anticipatory bail to the petitioner in case FIR No. 77 dated 19.07.2022, registered under Sections 498-A/323,294/506/34/377 IPC, 1860 and Sections 3 & 4 of the Dowry Prohibition Act, 1961, at Police Station Division D, Amritsar, Punjab.

Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 19.11.2021. the matrimonial dispute has arisen as the complainant intends to reside separately from the other family members. The false and vague allegations have been levelled in the FIR. The allegation with regard to the un-natural sexual relation is not supported with any medical evidence. Furthermore, the parents of the petitioner have been granted anticipatory bail by the Court of Sessions. The petitioner has also instituted a petition under Section 9 of Hindu Marriage

Act for restitution of conjugal rights on 31.05.2022. The complaint has been submitted subsequently as a result of counterblast and on the basis thereof, the FIR has been registered. The petitioner is ready and willing to amicably settle the dispute through mediation.

On the oral request of the learned counsel for the petitioner, the complainant i.e. Rasveen Kaur Kapoor, R/o 203, Sharti Nagar, Amritsar presently residing at 29, M.I.G, Indira Nagar, Agar Road, Ujjain is impleaded as respondent No. 2. Registry to do the needful.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 28.09.2022.

To await report, list on 20.12.2022.

However, the petitioner shall pay a sum of Rs.50,000/- to respondent No. 2/complainant on her appearance before the Mediation and Conciliation Centre of this Court to facilitate her presence and participation during the course of mediation proceedings.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

2. Learned counsel for the petitioner submits that the matter has been amicably settled before the Mediation and Conciliation Centre of this Court. The settlement deed dated 20.04.2023 has been executed between the parties.

3. Learned State counsel submits, on instructions from ASI-Charan Singh, submits that petitioner has joined investigation and no custodial interrogation is required.

4. In view of above facts and circumstances, the petition is allowed and the interim bail granted to the petitioner vide order dated 31.08.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

5. If the petitioner or her 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.

6. 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

15.05.2023
harish kumar

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No