

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

213

CRM-M-39904-2020 (O&M)

Date of Decision: 24.01.2023

Virender Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr.Ashish Naik, Advocate
for the petitioner.

Mr. Amish Sharma, Asstt. A.G., Punjab.

Mr. Vipin Kumar Sharma, Advocate
for the complainant.

JAGMOHAN BANSAL, J. (Oral)

On 02.12.2020, the following order was passed :-

“On 01.12.2020, the learned counsel for the petitioner had stated that he is ready for any kind of mediation in view of the fact the present dispute pertains to the matrimonial discord.

Mr. Vipin Kumar, Advocate, who had caused appearance on that day on behalf of the complainant had also sought time to seek instructions from the complainant with regard to her willingness to go for mediation.

Today, the learned counsel for the petitioner as well as the learned counsel for the complainant have made a joint request that let the matter be sent to the Mediation Centre of this Court so that the matrimonial dispute may be resolved in an amicable and peaceful manner. Both the parties

have informed this Court that the Mediation Centre is working in the High Court premises.

In view of the above, both the petitioner as well as the complainant shall appear before the Mediation Centre of the High Court on 14.12.2020.

The learned counsel for the complainant has submitted that the complainant is a poor lady and is not earning livelihood and that she is having a son of the age of 5½ years and therefore, the cost of litigation may be provided to her.

Therefore, it is directed that the petitioner shall pay an amount of Rs.20,000/- to the complainant in the form of demand draft in the name of the complainant on the date fixed before the Mediation Centre, i.e, 14.12.2020.

In the meantime, in the event of arrest of the petitioner, he shall be released on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. It is made clear that in case the litigation cost is not paid to the complainant then the aforesaid interim order shall cease to operate.

To come up for hearing on 25.02.2021.”

Learned counsel for the parties are *ad-idem* that the matter stands amicable settled between the parties and they have filed petition under Section 13-B of Hindu Marriage Act seeking dissolution of marriage by mutual consent. The petitioner has already made payment in view of compromise deed and decree of divorce is likely to be shortly passed.

Learned State counsel on instructions from ASI Rajesh Kumar submits that petitioner has joined investigation and no custodial interrogation is required.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 02.12.2020 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

If the petitioner or his 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.

(JAGMOHAN BANSAL)
JUDGE

24.01.2023
anju

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