

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

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CRM-M-41936-2022

Date of Decision: 20.01.2023

Gurdeep Nath

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Rakesh Gupta, Advocate for the petitioner

Ms. Dimple Jain, AAG, Haryana

JAGMOHAN BANSAL, J. (Oral)

On 28.09.2022, the following order was passed:-

“ The petitioner is seeking anticipatory bail in case bearing FIR No.187 dated 26.08.2022 under Sections 323/498-A/506/34 IPC and Section 325 IPC added later on, registered at Police Station Sanoli, District Panipat.

Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant about five years ago and two children have been born from the wedlock. Both the children are in custody of the petitioner. There are general and vague allegations levelled in the FIR and no demand of dowry was ever raised by the petitioner. The petitioner is ready and willing to amicably settle the matrimonial dispute.

On the oral request of learned counsel for the petitioner, Sangita, wife of Gurdeep Nath, daughter of Singha Nath, resident of Admi, Tehsil Bapoli, Police Station Sanoli, District Panipat is impleaded as respondent No.2.

Registry to carry out the necessary correction in the memo of parties.

Notice of motion.

Mr. Zorawar Singh Chauhan, DAG, Haryana, accepts notice on behalf of respondent No.1-State.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 20.10.2022.

The petitioner shall also pay a sum of Rs.30,000/- to the complainant/respondent No.2 on her appearance before the Mediator to facilitate her presence and participation during the course of mediation proceedings.

The report be awaited for 20.01.2023.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned State counsel, on instructions from Investigating Officer, 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 28.09.2022 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.

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

20.01.2023
Mohit Kumar

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