

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.209

CRM-M-50369-2022

Date of decision : 11.05.2023

Roshan Sharma and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Ms.Eknoor Kaur Sara, Advocate, for
Mr.Gautam Dutt, Advocate, for the petitioners.

Mr.Arun Luthra, DAG, Punjab.

Mr.Vikas Bali, Advocate, for the complainant.

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DEEPAK SIBAL, J. (Oral)

(1) Through the present petition filed under Section 438 Cr.P.C. the petitioners seek anticipatory bail in FIR No.234 dated 08.10.2022 registered under Sections 420, 465, 467, 468 and 471 IPC at Police Station Haibowal, Police Commissionerate Ludhiana.

(2) On 24.02.2023 this Court had passed the following order: -

“Learned counsel for the petitioner and learned counsel for the complainant submit that there is a good chance that the dispute between their respective clients may be amicably resolved.

In view of the above statement, the matter is referred to the Mediation and Conciliation Centre of this Court where the parties are directed to appear on 10.03.2023 at 11:00 a.m.

To await the report of the Mediator, adjourned to 11.05.2023.

Only to facilitate mediation proceedings the petitioner's arrest is stayed till the adjourned date.”

(3) It is the admitted position that the dispute which was the subject matter of the FIR in question has been settled by the petitioners and the complainant before the Mediation & Conciliation Centre of this Court.

(4) In the light of the above and for the reason that the issue in question originated from a civil dispute between the petitioners and the complainant, subject to the petitioners’ joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of their arrest in FIR No.234 dated 08.10.2022 registered under Sections 420, 465, 467, 468 and 471 IPC at Police Station Haibowal, Police Commissionerate Ludhiana, they shall be released on anticipatory bail to the satisfaction of the Arresting Officer.

11.05.2023
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No