

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

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CRM-M-52022-2022

Date of Decision: 12.04.2023

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

Present:- Mr. Janak Singh Bhinder, Advocate for the petitioner

Mr. Amish Sharma, AAG, Punjab
(assisted by HC Mohinder Singh)

JAGMOHAN BANSAL, J. (ORAL)

On 14.11.2022, 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.87 dated 11.10.2022, registered under Sections 406/498-A IPC, 1860 at Police Station Women Cell, Patiala, District Patiala.

Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 12.02.2010 and two children have been born from the wedlock. In the application submitted by the complainant, the allegations were also levelled against parents of the petitioner but they were found innocent and FIR has been registered only against the petitioner. The dispute has arisen on the basis of some misunderstandings between the couple

and the petitioner is ready and willing to amicably settle the matrimonial dispute.

On the oral request of the learned counsel for the petitioner, the complainant, namely, Gurmeet Kaur daughter of Ram Singh, R/o Village Daunkhurd, Tehsil and District Patiala is impleaded as respondent No.2.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, 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 15.12.2022.

To await the report, list on 23.02.2023.

However, the petitioner shall pay a sum of Rs. 30,000/- 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.”

Learned State counsel, on instructions from HC Mohinder Singh, submits that petitioner has joined investigation and no custodial interrogation is required.

In view of the above facts and circumstances, the petition is allowed and the interim bail granted to the petitioner vide order dated 14.11.2022 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

12.04.2023
Mohit Kumar

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