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206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1065-2024 (O&M)
DATE OF DECISION : 29.05.2024

SACHIN

.... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Sandeep Kumar, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Ramandeep Singh, Advocate for the complainant.

* * * *

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.175 dated 08.12.2023 registered at Police Station Focal Point, District Police Commissionerate Ludhiana, under Sections 406, 498-A, 120-B of IPC.

2. On 23.01.2024 following order was passed:

“xxxx Keeping in view the facts and circumstances of the present case, in the opinion of this Court, it is a fit case where the process of mediation should be used for restoring the family relationship.

Notice of motion for mediation process, at this stage for 26.02.2024 subject to the condition that costs of 40,000/- as litigation expenses by way of a demand draft, be deposited by the petitioner in the Registry of this Court, within a period of two weeks from today, which shall be handed over to complainant by the learned Mediator, when she appears before him.

On the asking of the Court, Ms. Himani Arora, AAG, Punjab, accepts notice on behalf of respondent No. 1. Mr. H.S.Dhindsa, Advocate who is present in Court has also filed his

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Power of Attorney on behalf of the complainant in Court which is taken on record.

The petitioner and complainant would appear before the learned Mediator of the Mediation and Conciliation Centre of this Court on 26.02.2024.

Adjourned to 29.05.2024 for awaiting the report of the Mediator.

In the meanwhile, the petitioner is directed to join investigation within one week and in the event of arrest, he shall be released on interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilqa Magistrate, subject to the following conditions:-

(i) the petitioner shall make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.”

3. As per the report of the Mediation and Conciliation Centre of this Court, the matter stands settled.

4. Learned counsel for the petitioner contends that the petitioner has joined the investigation in compliance of the order passed by this Court.

5. Learned State counsel, on instructions from ASI Darshan Singh, has also confirmed that the petitioner has joined investigation. State counsel further informs that custodial interrogation of the petitioner is not required.

6. In view of the aforesaid facts and the reasons recorded in the order dated 23.01.2024 and keeping in view the fact that the petitioner has joined investigation, his custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated

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23.01.2024 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

7. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

29.05.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

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