

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

CRM-M-10509-2024
Date of decision: 02.07.2024

DHARMINDER SINGH

...PETITIONER

V/s

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Nigam K. Bhardwaj, Advocate
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Nikhil Ghai, Advocate and
Mr. Gursas Gill, Advocate
for respondent No.2.

SUMEET GOEL, J.

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.0003 dated 06.01.2024, registered for the offences punishable under Sections 406/498-A/34 of IPC at Police Station Dakha, District Ludhiana Rural.

2. On 28.02.2024, the following order was passed:-

“The present petition has been filed by the petitioner under Section 438 of Cr.P.C. seeking grant of anticipatory bail in case arising out of FIR No.3 dated 06.01.2024 registered under Sections 406, 498-A and 34 of IPC at Police Station Dakha, District Ludhiana on the basis of complaint lodged by the complainant-Jaspreet Kaur alleging therein that she was married with the petitioner on 08.12.2019 and huge amount of money has been spent by her parents at that time. Two children were born out from this wedlock but shortly after her marriage, her husband and his family members started harassing and maltreating her on account of demand of dowry. They demanded an amount of Rs.50,000/- from her. On 11.09.2021, the petitioner had left her at her parental house along with the children. She was brought back on 20.02.2022 but was again thrown out of her matrimonial house by extending beatings and by making

attempt to kill her. After registration of the FIR, investigation proceedings were initiated.

The present petition has been filed by the petitioner on the ground that and it is argued by his counsel that the petitioner has been falsely implicated in this case. In fact, the behavior of the complainant is remained rude towards him as well as his family members. It was she who did not want to live with the petitioner and his family members from the very beginning. She herself had left the company of the petitioner. A false story had been concocted by her. It is urged that the petition deserves to be allowed.

Notice of motion.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab who appeared on advance notice of the petition, seeks time to file status report.

Adjourned to 18.04.2024.

Notice to respondent No.2 be issued for the same date.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

3. Thereafter, vide order dated 18.04.2024, the parties were directed to appear before the Mediation and Conciliation Centre of this Court.

4. Report has been received from the Mediation and Conciliation Centre of this Court. A perusal of the said report as also the statement made by learned counsel for the rival parties reflect that a settlement has indeed been entered into between the parties and compromise thereafter has been reduced into writing vide deed dated 21.05.2024.

5. Learned State counsel, on instructions from ASI Tarsem Singh, has stated that pursuant to the order dated 28.02.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

6. In view of above, the present petition is allowed and interim order dated 28.02.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

7. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
8. Liberty is reserved in favour of State/complainant to move for cancellation/recall of this order in case the petitioner violates any condition stipulated under Section 438(2) Cr.P.C., 1973 or upon showing any other sufficient cause.
9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
10. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

July 02, 2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No