



CRM-M-12210-2024 (O&M)

- 1 -

**220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-12210-2024 (O&M)
DATE OF DECISION : 30.05.2024****CHANCHAL KAUR AND ANOTHER ... PETITIONERS
V/S
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Gaurav Kalsi, Advocate for
Mr. Harchand Singh Baath, Advocate for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab.

Ms. Kamalpreet Kaur, Advocate for
Mr. Sandeep Arora, Advocate for respondent No.2.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioners in case FIR No. 01 dated 07.02.2024 registered at Police Station NRI, Jalandhar, Police Commissionerate, Jalandhar, under Sections 406, 498-A IPC.

2. On 07.03.2024 following order was passed:

“xxxx Learned counsel for the petitioners inter alia contends that the petitioners are mother-in-law and father-in-law of respondent No.2-complainant at whose instance FIR is lodged. The son of the petitioner had gone to Dubai after marriage which was solemnized on 25.02.2020. Out of the wed lock a child was also born. Petitioners are ready to join investigation. Petitioner No.2 is a senior citizen and they even contacted their son to join the mediation process through video conferencing.

Keeping in view the facts and circumstances of this case, in the opinion of this Court, it is a fit case for making a reference to mediation.

Notice of motion.

On the asking of the Court, Ms. Himani Arora, AAG, Punjab, appears on behalf of the State-respondent No. 1.



Notice to respondent No.2 to appear before the Mediation and Conciliation Centre of this Court on 10.04.2024 be issued.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 10.04.2024 at 10:00 a.m. for exploring the possibility of an amicable settlement. The son of the petitioner who is also one of the accused in the FIR would also join the mediation proceedings through video conference. His mobile number and other relevant particulars shall be supplied by the petitioner to the Mediation and Conciliation Centre of this Court.

To await the report, list on 30.05.2024.

In the meanwhile, the petitioners are directed to join investigation within ten days and in the event of arrest, they shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to furnishing bonds/surety, and also subject to the following conditions:-

(i) That the petitioners shall further make themselves available for interrogation by a police officer as and when required.

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

3. Learned counsel for the petitioners contends that the petitioners have joined the investigation in compliance of the order passed by this Court.

4. Learned State counsel, on instructions from ASI Ravinder Singh, has also confirmed that the petitioners have joined investigation. State counsel further informs that custodial interrogation of the petitioners is not required.

5. As per the report of the Mediation and Conciliation Centre of this Court dated 22.05.2024, settlement agreement has been executed between the parties and the matter stands settled. Both the counsel for the

**CRM-M-12210-2024 (O&M)****- 3 -**

parties have confirmed the said settlement on behalf of their respective parties.

6. In view of the aforesaid facts and the reasons recorded in the order dated 07.03.2024 and keeping in view the fact that the petitioners have joined investigation, their custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 07.03.2024 granting interim bail to the petitioners 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.

8. Liberty is also reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

9. All the pending miscellaneous applications, if any, shall stand disposed of.

30.05.2024

Janki

(HARPREET KAUR JEEWAN)**JUDGE***Whether speaking/reasoned : Yes/No**Whether reportable : Yes/No*