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208 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-12295-2024 (O&M)
DATE OF DECISION : 29.05.2024

ANIL KUMAR

.... PETITIONER

V/S

STATE OF HARYANA & ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gaurav Singla, Advocate for the petitioner.
Mr. Amrik Singh Narwal, D.A.G., Haryana.
None for respondent No.2.

* * * *

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. 237 dated 25.12.2023, registered at Police Station Women, West Gurugram, Haryana under Sections 498-A, 406, 323 and 354-A of the IPC read with Section 34 thereof.

2. On 11.03.2024 following order was passed:

“xxxx Learned counsel for the petitioner inter alia that the FIR was registered at the instance of the complainant who is the wife of the present petitioner. All allegations levelled in the FIR are false. The petitioner and his family members have been falsely implicated in the present FIR. Earlier, the petitioner was granted interim bail by the Additional Sessions Judge, Gurugram, vide order dated 06.02.2024 (Annexure P-3). However, later on that petition under Section 438 Cr.P.C was dismissed, vide order dated 23.02.2024 and the interim relief granted to the petitioner stood vacated. The petitioner is still ready to join the investigation and even ready for reconciliation of the matter.

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



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reference to mediation.

4. Notice of motion.

5. On advance notice, Mr. Amrik Singh Narwal, D.A.G. Haryana appears on behalf of the State and seeks time to file status report.

6. Since the complainant is not impleaded as a party to the petition, she is ordered to be impleaded as respondent No. 2 in this petition. Office to do the necessary corrections in the memo of parties after taking particulars of the complainant from the copy of the FIR (Annexure P-1).

7. Notice to respondent No. 2 to appear before the Mediation and Conciliation Centre of this Court on 24.04.2024 be issued.

8. The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 24.04.2024 at 10:00 a.m. for exploring the possibility of an amicable settlement.

9. To await the report, list on 29.05.2024.

10. Costs of litigation of Rs.15,000/- be paid to respondent No. 2. The petitioner shall hand-over a demand draft for the said amount to respondent No. 2 on her appearance before the Mediation and Conciliation Centre of this Court.

11. In the meanwhile, the petitioner is directed to join investigation within 10 days and in the event of his arrest, he shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to furnishing bail bonds/surety bonds, and also subject to the following conditions:-

(i) That the petitioner shall further 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.

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5. Learned State counsel, on instructions from L/SI Meenawanti, 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 11.03.2024 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 11.03.2024 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.

8. Pending miscellaneous application(s), if any, shall also stand disposed of.

29.05.2024

Janki

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