



CRM-M-13127-2023 (O&M)

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

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CRM-M-13127-2023 (O&M)

Date of Decision: 21.08.2024

TRILOK DIXIT**...Petitioner****Versus****STATE OF PUNJAB****...Respondent****CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present:- Mr. Amit Khari, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab.

HARPREET KAUR JEEWAN, J.

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No.41 dated 03.08.2022 registered under Sections 498-A, 406 and 323 IPC at Police Station Women, Bathinda.

2. On 21.03.2023, the Coordinate Bench of this Court passed the following order and directed the petitioner to join the investigation:

‘Without going into the merits of the case, at the outset, Mr. Harpal Singh Chahal, Advocate, has put in appearance on behalf of the complainant.

After arguing for a while, counsel for the petitioner submits that the matter can be resolved and an effort should be made to explore the possibility of an amicable solution. However, the counsel for the complainant though does not oppose the said proposal, however, submits his apprehension that the petitioner might flee from the country, in case any protection is granted.

Accordingly, for the purpose of exploring the



possibility of an amicable solution, the petitioner and the complainant are directed to appear before the Mediation and Conciliation Centre of this Court on 25.04.2023 to explore the possibility of an amicable solution, however, to test the bona fide of the petitioner, he will bring an amount of ` 10,00,000/- and also the Istridhan and other articles of the complainant. The complainant will hand over the list of above-said articles within one week from today to the Investigating Officer, who shall give the same to the petitioner.

The petitioner is directed to join the investigation on 05.04.2023 at 10.00 A.M. before the Investigating Officer and cooperate with the Investigating Agency, even thereafter, only for the purpose of exploring the possibility of an amicable solution.

In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C. The petitioner is also directed to surrender his Passport immediately to the concerned Investigating Officer, so that there is no chance of flight risk.

It is made clear that this concession and order shall not be construed or relied upon to decide the matter on merits, if the effort to explore an amicable solution fails.

To come up for hearing on 28.04.2023.

The Mediation Centre is requested to send its report of the progress on the date fixed.'

3. Learned counsel appearing on behalf of the respondent-State has informed that the petitioner had joined the investigation and custodial interrogation of the petitioner is not required. Learned State counsel has further informed that the petitioner has also surrendered his passport.

4. Learned counsel for the petitioner contends that the petitioner has complied with the condition of depositing a sum of Rs.10 lakhs in terms of the order dated 21.03.2023 passed by the Coordinate Bench of this Court. He has informed that the said amount has been directly transferred to the bank account of the complainant.

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5. Both the parties have also appeared before the Mediation and Conciliation Centre of this Court. As per the report dated 21.07.2023, received from the Mediator, the parties could not arrive at an amicable settlement.

6. Keeping in view the reasons recorded in the order dated 21.03.2023 and keeping in view the fact that the petitioner has joined investigation and the allegations *inter se* the petitioner and complainant are matter of trial, the present petition is allowed and the order dated 21.03.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

7. Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

8. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

21.08.2024

P.Bhatt

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