



CRM-M-13065-2023 (O&M)

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207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13065-2023 (O&M)

DATE OF DECISION : 21.05.2024

JASPREET SINGH

... PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. B.S.Bairagi, Advocate for the petitioner.
(through video conferencing)

Ms. Himani Arora, A.A.G., Punjab.

Mr. Sanjay Khan, Advocate for
Mr. S.S.Sarwara, Advocate for respondent No.4.

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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 petitioner in case FIR No.19 dated 11.02.2023, under Section 498-A of IPC, registered at Police Station Amargarh, District Malerkotla.

2. On 16.03.2023 following order was passed:

“xxxx The case of prosecution is that marriage of the petitioner was solemnized with complainant Gurbinder Kaur on 25.02.2022. The complainant made a complaint to police alleging that her parents spent Rs.20 lakhs on her marriage, however, parents-in-law of the complainant were not satisfied with the dowry articles. The husband and his family members started harassing her. She told her in-laws to get her name registered in the passport of her husband and her husband's name should be registered in her passport. The mother-inlaw used to taunt her that if petitioner would have married with Canadian citizen, he would have got permanent residency. On 29.7.2022, her father took her away to parental home. She filed complainant on 18.8.2022 before SSP, Khanna, however, matter was compromised and she



returned back to her matrimonial home. On 17.10.2022, her in-laws turned her out from her matrimonial home after giving beatings.

Learned counsel for the petitioner inter alia contends that the complainant at her own left her matrimonial home on 17.10.2022 and thereafter lodged second complainant with police on 16.12.2022 which culminated into the aforesaid FIR. The complainant on 19.01.2023 left for UK and at present she is in UK and FIR has been registered at her back. Learned counsel submits that there is possibility of amicable settlement between the parties.

Notice of motion.

On the asking of Court, Mr. Amish Sharma, AAG, Punjab who is present in court on advance notice, accepts notice on behalf of State-respondent.

Mr. Kulwinder Singh, Advocate for Mr. S.S.Sawara, Advocate filed vakalatnama on behalf of the complainant. The same is taken on record. Registry is directed to tag the same at an appropriate place.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 24.03.2023 to explore possibility of settlement.

The petitioner shall pay Rs. 15,000/- to the private respondent towards litigation expenses.

To await report, adjourned to 03.05.2023.

In the meantime, the investigating officer shall refrain from taking any coercive steps against the petitioner.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial court shall proceed without being prejudiced by observations of this Court.”

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in compliance of the order passed by the Co-Ordinate Bench of this Court and both the parties have effected a compromise. Petitioner has also filed a petition for quashing of the FIR.

4. Learned State counsel, on instructions from SI Jaspal Singh, has also confirmed that the petitioner has joined investigation on 23.12.2023

and no recovery has been effected.

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5. Learned counsel for the complainant confirms the factum of compromise between the parties.
6. In view of the aforesaid facts and the reasons recorded in the order dated 16.03.2023 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 16.03.2023 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.

21.05.2024

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**(HARPREET KAUR JEEWAN)
JUDGE**

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