

2024:PHHC:016159

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

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**CRM-M-14106-2023
Date of decision:06.02.2024**

Sunil Kumar

....Petitioner

V/s

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Ashish Nagar, Advocate, for the petitioner.

Mr.Hemant Aggarwal, AAG, Punjab.

Mr. Tanuj Goyal Tohana, Advocate, for the complainant.

SUMEET GOEL, J. (ORAL)

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.13 dated 17.02.2023, registered for the offences punishable under Sections 406 and 498-A of IPC and Section 4 of Dowry Prohibition Act, at Police Station City-2 Abohar, District Fazilka.

2. On 01.02.2024, the following order was passed:-

“On 20.03.2023, the following order was passed by this Court:

"The petitioner-Sunil Kumar has filed the present petition under Section 438 of Cr.P.C. seeking anticipatory bail in FIR No. 13 dated 17.02.2023, registered under Sections 406 and 498-A of IPC and Section 4 of Dowry Prohibition Act, at Police Station City-2 Abohar, District Fazilka.

It is argued that the petitioner is falsely implicated in this case. He is ready to join the investigation and even ready to settle the dispute.

Notice of motion.

On the asking of this Court, Mr. Kunwarbir Singh, Assistant A. G. Punjab, accepts notice on behalf of the State.

Ms. Ruby Kaur, Advocate has appeared on behalf of the complainant and filed his Vakalatnama, which is taken on record. She also stated that there are chances of reconciliation between the parties.

On the request of counsel for both the parties, the matter is referred to the Mediation and Conciliation Centre of the this Court.

Parties are directed to put in appearance in person before the Mediation and Conciliation Centre of this Court on 28.03.2023 and the petitioner is directed to pay a sum of Rs.15,000/- towards litigation expenses to the complainant before the Mediator.

To await the report, list on 15.05.2023.

In the meantime, arrest of the petitioner is stayed till the next date of hearing, to explore the possibility of compromise."

Learned counsel for petitioner as also learned counsel for complainant are ad idem that the parties have amicably settled their dispute.

Adjourned to 06.02.2024.

The petitioner is directed to appear before the Investigating Officer on 03.02.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C."

3. Learned State counsel, on instructions from ASI Balwinder Singh, has stated that pursuant to the order dated 01.02.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the interim order dated 01.02.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
5. 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.
6. 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.
7. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.

(SUMEET GOEL)
JUDGE

February 06, 2024
poonam

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