



Sr. No.204

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17091-2024
Date of decision: 12th July 2024

GAMDUR SINGHPetitioner

versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Prabhjot Singh, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. K.B.S. Mann, Advocate
for respondent No.2/complainant.

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.19 dated 09.03.2024, under Sections 354-B, 498-A, 406 read with Section 34 IPC, registered at Police Station City Vairo Ke, District Fazilka.

2. On 08.04.2024, the following order was passed:-

“xxx xxx xxx xxx

2. *Learned counsel for the petitioner inter alia contends that the petitioner is a 67 years old person and the father-in-law of respondent No.2-complainant. The FIR was registered due to a matrimonial dispute and there are chances of amicable settlement between the parties.*

3. *Notice of motion.*

4. *Having received advance copy of the petition, Ms. Himani Arora, A.A.G., Punjab, accepts notice on behalf of respondent No. 1 and seeks time to file reply.*

5. *Mr. K.B.S. Mann, Advocate, accepts notice on behalf of respondent No. 2-complainant and has filed his power of attorney in Court today. The same is*



taken on record. He also informs that there are chances of amicable settlement between the parties.

6. *Keeping in view the fact that the petitioner is the father-in-law of the prosecutrix and the prosecutrix is staying in India in her matrimonial home where her father-in-law is also staying, it is a fit case for making a reference to mediation.*

7. *Learned counsel for the petitioner submits that the husband of the prosecutrix left India and is staying in Manila (Phillippines).*

8. *The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 25.04.2024 at 10:00 a.m. for exploring the possibility of an amicable settlement.*

9. *The particulars of the son of the petitioner and the husband of the prosecutrix, along with all necessary information, be also supplied by learned counsel for the petitioner to the Mediation and Conciliation Centre of this Court well in advance, so that the husband of respondent No. 2 and the son of the petitioner can also join the mediation proceedings by way of video conferencing.*

10. *To await the report, list on 12.07.2024.*

11. *In the meantime, no coercive action shall be taken against the petitioner. However, the petitioner shall not leave India without the prior permission of the Court.*

xxx xxx xxx xxx”

3. Learned State counsel has filed status report dated 12.07.2024, by way of affidavit of Sh. Achhru Ram Sharma, PPS, Deputy Superintendent of Police, Jalalabad, on behalf of respondent-State of Punjab, which is taken on record. As per the status report, the petitioner has joined investigation on 02.04.2024, in pursuance of the order passed by the learned Additional Sessions Judge, Fazilka.

4. As per the report received from the Mediation and Conciliation Centre of this Court, the matter stands settled. Settlement Agreement dated 14.05.2024 has been duly signed by the petitioner and respondent No.2/complainant. Power of



attorney has been filed by the petitioner on his behalf as well as being the power of attorney holder of co-accused Navjeet Singh and Navdeep Kaur.

5. Learned counsel for respondent No.2/complainant has confirmed the said settlement.

6. Keeping in view the aforesaid facts and circumstances of the case, without making any comments on the merits of the case, the present petition is allowed, subject to the following conditions:-

- (i) That the petitioner is directed to join investigation within a period of 10 days and thereafter as and when required, in that event the petitioner shall be released on bail upon his furnishing bail bonds for a sum of Rs.1,00,000/- with one surety in the like amount to the satisfaction of the Investigating Officer/SHO of the Police Station concerned.
- (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.

7. However, liberty is reserved in favour of the State and respondent No.2/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition stipulated in this order and under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

8. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

12th July 2024
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