

**CRM-M-21784-2023 (O&M)****- 1 -****204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-21784-2023 (O&M)
DATE OF DECISION : 07.08.2024****TARUN KUMAR DUTTA****... PETITIONER****V/S****STATE OF PUNJAB****... RESPONDENT****CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN****Present: Mr. GBS Dhillon, Advocate for the petitioner.****Ms. Himani Arora, A.A.G., Punjab assisted by
ASI Mandeep Kaur.****Mr. B.S.Gill, Advocate for the complainant.***** * * *****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. 0010 dated 11.03.2023, under Sections 406 and 498-A IPC, registered at Police Station, Women Cell, District SAS Nagar Mohali.

2. As per the order dated 01.05.2023, the matter was referred to the Mediation and Conciliation Centre of this Court and following order was passed by the Co-Ordinate Bench of this Court:

“xxxx Learned counsel for the petitioner, at the outset, submits that there is possibility of amicable settlement between the parties.

Notice of motion, returnable for 29.05.2023.

On the asking of Court, Mr. Shiva Khurmi, AAG, Punjab, who on advance notice, is present in court, accepts notice on

**CRM-M-21784-2023 (O&M)****- 2 -**

behalf of State-respondent.

Mr. Brijindra Singh Bajwa, 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 petitioner and complainant are directed to appear before the Mediation and Conciliation Centre of this Court on 15.05.2023 to explore possibility of settlement.

The petitioner shall pay Rs. 35,000/- to the complainant towards litigation expenses.

To await report, adjourned to 29.5.2023.

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

To be heard alongwith CRM-M- 20847 of 2023. ”

3. Initially, the mediation had failed. However, the matter was referred to the Counsellor of the High Court Legal Service Committee as per the order dated 20.04.2024. Today, the counsel for the petitioner as well as counsel appearing on behalf of the complainant have contended that an agreement/deed of compromise has been executed between the parties on 05.08.2024. Copy of the said deed is submitted in the Court, which is taken on record. Even as per the report of Counsellor of High Court Legal Service Committee, it is reported that both the parties have informed that they have reached a mutual agreement and settled all their disputes.

4. In view of the aforesaid facts and circumstances, the present petition is allowed. However, the petitioner is directed to join the investigation within 3 weeks from today and thereafter as and when required by the Investigating Officer and he shall be admitted to bail to the satisfaction of the Investigating Officer. The petitioner shall remain bound by the conditions under Section 438 (2) Cr.P.C.

5. However, it is made clear that nothing expressed hereinabove

**CRM-M-21784-2023 (O&M)****- 3 -**

would be construed to be an expression of opinion on merits of the case.

6. Liberty is also reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.

7. All the pending miscellaneous applications, if any, shall stand disposed of.

07.08.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

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