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CRM-M-23070-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23070-2024 (O&M)

Date of Decision: 29.07.2024

MAJOR NILANSHU RANGI

.. Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Mrigank Sharma, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Saurav Bhatia, Advocate and
Mr. Preet Kamal, Advocate for respondent No.2.

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SUMEET GOEL, J. (Oral)

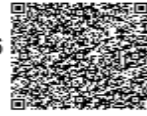
1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 17 dated 21.03.2024 registered for offences punishable under Sections 406 and 498-A IPC at Police Station Nurmahal, District Jalandhar, Rural.

2. On 09.05.2024, the following order was passed:-

“Apprehending his arrest in FIR No.17 dated 21.03.2024 registered for offences punishable under Sections 406,498-A IPC at Police Station Nurmahal, District Jalandhar, the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the genesis of the FIR in question is the matrimonial discord between the petitioner and complainant wife; the petitioner is even ready for an amicable settlement; the petitioner is willing to return all the dowry articles including gold articles/Istridhan in his possession; the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

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On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Mr. Saurav Bhatia, Advocate has filed vakalatnama for respondent No. 2. The same be taken on record.

Adjourned to 28.05.2024.

The petitioner is directed to appear before the Investigating Officer on 18.05.2024 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. On 24.07.2024, the following order was passed:

“Learned counsel for the petitioner as also learned counsel for respondent No.2 are ad idem that there are still chances of amicable settlement between the parties and hence the matter be again referred to Mediation and Conciliation Centre of this Court.

Further efforts be made by the Mediator who had earlier conducted the mediation proceedings between the parties.

Keeping in view the totality of facts and circumstances of the case, the parties (through their respective learned counsel) are directed to appear before the Mediation and Conciliation Centre of this Court on 25.07.2024.

The parties to the lis are permitted to appear through video conferencing as well.

Put up on 29.07.2024 along with the report of Mediator.

Interim order to continue till the next date of hearing.”

4. Learned counsel for the petitioner as also learned counsel for respondent No.2 are *ad idem* that the parties have settled their dispute by way of an amicable settlement.



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5. Learned State counsel, on instructions from SI Harcharanjit Singh, has stated that pursuant to the order dated 09.05.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.
6. In view of above, the petition is allowed and interim order dated 09.05.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
7. This order should not be treated as “blanket” order. It will not be interpreted as 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.
8. 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.
9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
10. Pending applications, if any, shall also stand disposed off.

29.07.2024
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No