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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-23146-2024 (O&M)
Date of Decision:- 07.11.2024

KAMALPREET KAUR

Versus

....Petitioner(s)

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. R.S. Gill, Advocate for the petitioner.

Mr. Surender Singh, A.A.G. Haryana.

Mr. Govind Chauhan, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 CrPC,
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
304	13.10.2023	406, 420 IPC; 24 of the Immigration, Act, 1971	Nissing District Karnal

2. Learned counsel for the petitioner contends that in compliance to the order dated 29.07.2024 passed by this Court, the petitioner has already joined the investigation. He contends that even otherwise the matter has been settled before the Mediation and Conciliation Centre of this Court vide settlement dated 20.08.2024 and in pursuance thereof, the petitioner has



already paid the amount in question to the complainant. He has supplied the transfer receipts in this regard, which are taken on record. As such interim bail granted to the petitioner may be confirmed.

3. Learned State counsel, on instructions received from the Investigating Officer of the case has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor she is required for further investigation.

4. Heard.

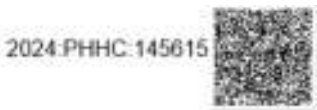
5. Learned counsel for the complainant has also not disputed the factual matrix of the case and the fact that in compliance to the aforesaid report of the Mediation and Conciliation Centre, the petitioner has paid the amount in question.

6. During the course of hearing on 29.07.2024, the following order was passed:-

“ Learned counsel for the petitioner submits that as per the allegations in the FIR, the petitioner alleged to have received Rs.4,70,000/- and out of that amount Rs.1,60,000/- has already been returned in the account of the brother of the complainant-Sandeep Kumar. He further submits that the petitioner is ready to pay Rs.1,00,000/- by way of demand draft to the complainant Bhopal Singh and will pay the balance amount for which some time is requested. He submits that the matter may be referred to Mediation and Conciliation Centre, Punjab and Haryana High Court for amicable settlement.

2. Learned counsel appearing on behalf of the complainant-Bhopal Singh has no objection if the matter is referred to the Mediation and Conciliation Centre, Punjab and Haryana High Court.

3. In these circumstances, the matter is referred to Mediation and Conciliation Centre, Punjab and Haryana High Court. The parties are directed to appear before the Mediation and Conciliation Centre, Punjab and Haryana High Court on 05.08.2024 at 10.30 AM.



4. *To await the report from the Mediation and Conciliation Centre, adjourned to 26.09.2024.*

5. *In the meanwhile, petitioner is directed to join the investigation within seven days from today for the purpose of facilitating him to join the mediation proceedings and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”*

7. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 29.07.2024 passed by this Court, interim bail granted vide order dated 29.07.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; she will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

8. The petition stands allowed.

(SANJIV BERRY)
JUDGE

07.11.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |