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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29583-2024 (O&M)
Date of decision: 27.09.2024

Suresh Gupta and others

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. J.S. Sekhon, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Aayush Gupta, Advocate and
Mr. Abhishek Chaudhary, Advocate
for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. This petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case bearing FIR No.31 dated 13.04.2024 under Sections 406, 498-A, 323, 506, 509, 34 of the Indian Penal Code, 1860, registered at Police Station Women Cell, District Police Commissionerate Ludhiana.

2. Learned counsel for the petitioners, *inter alia*, contends that the



petitioners are father-in-law, mother-in-law and brother-in-law of the complainant, respectively and they have no concern with the matrimonial life of the complainant and her husband. The petitioners are residing separately and there has been no interference of any sort from their side in the matrimonial life of the complainant and her husband.

3. During the course of hearing of the present petition, this Court, vide order dated 07.06.2024, directed the parties to appear before the Mediation and Conciliation Centre of this Court to explore the possibility of an amicable settlement. It was also ordered that no coercive steps be taken against the petitioners in the meanwhile.

4. Pursuant to the order dated 07.06.2024 passed by this Court, the Mediator has submitted a report dated 27.08.2024, according to which, the parties have resolved their pending disputes amicably and son of petitioners No.1 & 2 and the complainant have decided to cohabit together.

5. Learned counsel for the complainant submits that the matter has been resolved between the parties before the Mediation and Conciliation Centre of this Court and he has no objection in case the petitioners are granted the concession of anticipatory bail.

6. In view of the above, present petition is allowed and keeping in view the ratio of law enunciated by the Hon'ble Supreme Court in ***Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273, Arnab Manoranjan Goswami Vs. State of Maharashtra, (2021) 2 SCC 427, Satender Kumar***



Antil Vs. CBI, (2022) 10 SCC 51, Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors., 2010 SCC OnLine SC 1375 and Shri Gurbaksh Singh Sibbia Vs. State of Punjab, (1980) 2 SCC 565, the petitioners are directed to appear before Investigating Officer within a period of two weeks from today and thereafter, as directed by the Investigating Officer. In the event of arrest, they will be admitted to bail on furnishing bail/surety bonds to the satisfaction of investigating/arresting officer and the petitioners will co-operate in the investigation.

7. If the Arresting Officer does not permit the petitioners to join the investigation, they will appear before learned Illaqa Magistrate, who would then summon the Arresting Officer and direct him to join the petitioners in the investigation, in terms of this order.

8. The petitioners will also abide by the terms and conditions envisaged under Section 438(2) Cr.P.C.

9. Nothing observed hereinabove shall be construed as an expression of opinion by this Court and the trial Court shall decide the same on its own merits, strictly in accordance with law.

[HARPREET SINGH BRAR]
JUDGE

27.09.2024
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No