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CRM-M-29891-2024 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-29891-2024 (O&M)  
Date of Decision: 06.11.2024

HARPREET SINGH

.. Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Gulzar Mohd., Advocate for the petitioner.  
Mr. Anup Singh, AAG, Punjab.  
Mr. Shivam Grover, Advocate for  
Mr. I.S. Khosa, Advocate for respondent No.2.

...

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.38 dated 20.05.2024 registered under Sections 406, 498-A of the IPC registered at Police Station Women, Police Commissionerate Ludhiana.

2. On 14.06.2024, the following order was passed:-

*“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.38 dated 20.05.2024 registered under Sections 406, 498-A of the IPC registered at Police Station Women, Police Commissionerate Ludhiana.*

*Petitioner was married to the complainant wayback in 2009. More than 15 years after the marriage, the FIR has been lodged alleging cruelty on the part of the petitioner. Learned counsel contends that petitioner has been falsely implicated; that he had already filed a petition under Section 9 of the Hindu Marriage Act; and that he is even ready for mediation.*

*Notice of motion.*

*Mr. Somesh Arora, Addl. A.G., Punjab accepts notice on behalf of respondent No.1- State whereas Mr. Shivam Grover, Advocate puts his appearance on behalf of respondent No.2 and filed his power of attorney.*

*Learned counsel for respondent No.2- complainant submits that in the petition under Section 9 of the Hindu Marriage Act filed by the petitioner, the complainant had moved an application to the effect that she was ready and willing to reside with the petitioner.*

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*Learned counsel have no objection if the parties are referred to Mediation.*

*In the aforesaid facts and circumstances, let both the parties appear before the Mediation and Conciliation Centre of this Court on 04.07.2024 to explore the possibility of compromise.*

*Adjourned to 02.09.2024 for filing status report.*

*In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”*

3. Learned State counsel, on instructions from SI Meet Ram, has stated that pursuant to the order dated 14.06.2024, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. Learned counsel for the petitioner as also learned counsel for respondent No.2 are *ad idem* that settlement has also been arrived at between the parties.

5. In view of above, the petition is allowed and interim order dated 14.06.2024 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C, 1973.

6. 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.

7. 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.

8. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.



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9. Pending applications, if any, shall also stand disposed off.

06.11.2024

Jasmine Kaur

(SUMEET GOEL)  
JUDGE

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|---------------------------|-----|----|
| Whether speaking/reasoned | Yes | No |
| Whether reportable        | Yes | No |