

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

203

Criminal Misc. No. M-32182 of 2023

Date of decision :-04.04.2024

Sarabjeet Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Mikhail Kad, Advocate for
Mr. Ashdeep Singh, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab assisted by
ASI Mukesh Kumar.

NIDHI GUPTA J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.0160 dated 21.5.2023 (Annexure P-2) under Sections 406 and 498-A IPC, registered at Police Station Dera Bassi, District SAS Nagar.

On 07.07.2023, co-ordinate Bench of this Court had passed the following order :-

“1. Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.160 dated 21.05.2023, registered under Sections 406/498-A IPC, 1860 at Police Station Dera Bassi, District SAS Nagar.

2. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant on 03.04.2021. The mother

of the petitioner had suffered brain hemorrhage in the year 2018 and is confined to the bed. Even, the mother of the complainant is a patient of cancer. The complainant had stayed in the matrimonial house only for a period of 20/25 days and thereafter, she went back to her parental house alleging that she is to take care of her mother. Father of the petitioner has been granted bail. Furthermore, the petitioner is ready and willing to amicably settle the dispute through mediation.

3. On the oral request of the learned counsel for the petitioner, the complainant i.e. Sandeep Kaur, daughter of Ashok Kumar R/o House No. 1186 Gulabgarh Road, Tehsil Dera Bassi, SAS Nagar is impleaded as respondent No.2.

4. Notice of motion.

5. Ms. Ruchika Sabherwal, AAG, Punjab accepts notice on behalf of the respondent-State.

6. The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 27.07.2023.

7. To await the report, list on 18.09.2023.

8. However, the petitioner shall pay a sum of Rs.20,000/- to respondent No.2/complainant on her appearance before the Mediation and Conciliation Centre of this Court to facilitate her presence and participation during the course of mediation proceedings.

9. Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Mukesh Kumar states that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 07.07.2023 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

April 04, 2024

Vijay Asija

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No