



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

231

CRM-M-34381-2023 (O&M)
Date of Decision: 31.08.2024

AMANPREET SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Ms. K.S. Brar, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Nitin Meel, Advocate
for respondent No.2 (through video conferencing).

HARPREET KAUR JEEWAN, J.

1. The instant first petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.18 dated 14.06.2023, under Sections 498-A and 406 IPC, 1860, registered at Police Station PS Women, District Ferozepur.
2. On 19.07.2023, the Coordinate Bench of this Court directed the petitioner to join the investigation and the parties were also referred to Mediation and Conciliation Centre of this Court. It was also ordered that the petitioner would deposit a sum of Rs.8 lakhs with the Registrar (Judicial) of this Court, which would be invested in a FDR, to show his *bona fide*. The said order reads as under:



‘This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.18 dated 14.06.2023 under Sections 498-A and 406 of the Indian Penal Code, 1860 registered at Police Station PS Women, District Ferozepur.

Learned counsel for the petitioner would contend at the outset that the petitioner is willing to settle the matter. On the oral request of counsel for the petitioner, the complainant – Jaskaran Kaur wife of Amanpreet Singh @ Dimpy Brar and daughter of Chattar Singh, resident of Village Baghe Ke Pipal, Tehsil and District Ferozepur – is impleaded as respondent No.2 in the petition.

Notice of motion.

Mr. Adhiraj Singh, AAG Punjab accepts notice on behalf of respondent No.1-State of Punjab. Mr. K.B. Raheja, Advocate puts in appearance and has accepted notice on behalf of respondent No.2-complainant.

Learned counsel for respondent No.2 states that the complainant is also open to exploring the possibility of an amicable settlement.

In view of the statements made by counsel for the petitioner and the counsel for respondent No.2, let the parties appear before the Mediation & Conciliation Centre of this Court on 16.08.2023 at 10.00 AM. The petitioner, in order to show his bonafides, shall deposit an amount of Rs.8 lakhs with the Registrar (Judicial) of this Court which would be invested in a FDR. The petitioner shall additionally bring a bank draft for Rs.30,000/- in the name of the respondent No.2-wife towards litigation expenses on the next date of hearing which would be handed over to her before the Mediator.

Awaiting the report of the Mediator, list the matter before the Court on 18.10.2023.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973.

3. The above-said order was modified subsequently on 08.11.2023 by the Coordinate Bench of this Court, whereby the petitioner was permitted to deposit a sum of Rs.5 lakhs with the Registrar (Judicial) of this Court, which would be invested in a FDR, instead of Rs. 8 lakhs in view of the request made on behalf of the petitioner.

4. As per the office report, the FDR amounting to Rs.5 lakhs has been prepared and kept in the safe custody of the Cash branch of this Court.

5. Learned counsel for the petitioner submits that the matter has been compromised between the parties. The petitioner-husband and respondent



No.2-wife have already filed a joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955 before Family Court, Faridkot. The terms and conditions of the settlement between the parties have been mentioned in the said joint petition. Copy of the joint petition for divorce under Section 13-B of the Hindu Marriage Act, 1955, is submitted in the Court today, which is taken on record.

6. Learned counsel for respondent No.2 submits that respondent No.2 has no objection, in case the present petition is allowed. Learned counsel for respondent No.2 has confirmed about the factum of compromise between the parties and further submits that respondent No.2 has no objection if the amount of 5 lakhs, lying with the Registry of this Court in the shape of FDR, be returned to the petitioner.

7. Learned State counsel has informed that the petitioner has joined the investigation in terms of the order dated 19.07.2023 passed by the Coordinate Bench of this Court.

8. In view of the aforesaid facts and the reasons recorded in the order dated 19.07.2023 and keeping in view the fact that the petitioner has joined the investigation and the matter has been settled between the parties, the present petition is allowed and the order dated 19.07.2023, granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.

9. The FDR amounting to Rs.5 lakhs deposited with the Registrar (Judicial) of this Court is ordered to be released to the petitioner against proper receipt and identification.

10. It is made clear that nothing expressed hereinabove would be



construed to be an expression of opinion on merits of the case.

11. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

31.08.2024

P.Bhatt

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No