



Sr. No.206

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34895-2024
Date of decision: 17th September 2024

AMAN VERMAPetitioner

versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Priyanshu Kamra, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab,
assisted by ASI Bhupinder Singh.

Mr. Rhythem Bajaj, Advocate
for respondent No.2/complainant.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973, for grant of anticipatory bail to the petitioner in case FIR No.50 dated 25.04.2024, under Sections 406, 498-A IPC, 1860, registered at Police Station City-2, Abohar, District Fazilka (Annexure P-1).

2. On 23.07.2024, following order was passed by this Court:-

“xxx xxx xxx xxx

2. *Learned counsel for the petitioner inter alia contends that it is a matrimonial dispute. The FIR was registered on the statement of the complainant, who is wife of the present petitioner. There are chances of an amicable settlement between the parties.*
3. *Since the complainant is not impleaded as a party to the petition, she is ordered to be impleaded as respondent No. 2 in this petition. The amended memo of parties be filed by learned counsel for the petitioner within one week.*



4. *Keeping in view the facts and circumstances of this case, in the opinion of this Court, it is a fit case for making a reference to mediation.*

5. *Notice of motion.*

6. *On the asking of the Court, Ms. Himani Arora, A.A.G., Punjab accepts notice on behalf of the respondent-State.*

7. *Mr. Rythem Bajaj, Advocate, accepts notice on behalf of respondent No. 2-complainant and has filed his power of attorney in Court today. The same is taken on record. He also submits that there are chances of amicable settlement between the parties.*

8. *Keeping in view the above, the parties are directed to appear before the Mediation and Conciliation Centre of this Court on 05.08.2024 at 10:00 a.m. for exploring the possibility of an amicable settlement.*

9. *To await the report, list on 17.09.2024.*

10. *Costs of litigation of Rs.30,000/- be paid to respondent No.2-complainant. The petitioner shall hand-over a demand draft for the said amount to respondent No. 2 on her appearance before the Mediation and Conciliation Centre of this Court.*

11. *In the meanwhile, in the event of arrest, he shall be released on interim bail, on his furnishing bail bonds and surety bonds to the satisfaction of the arresting officer/Area Magistrate and also subject to the following conditions:-*

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.”



3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in compliance of the aforesaid order dated 23.07.2024. It is further contended that it was the second marriage of the petitioner and the complainant and no dowry was given at the time of marriage.
4. Learned State counsel, on instructions from ASI Bhupinder Singh, confirms that the petitioner has joined investigation on 26.07.2024 and also contends that his further custodial interrogation is not required.
5. In view of the reasons recorded in the order dated 23.07.2024 and keeping in view the fact that the petitioner has joined investigation and his further custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 23.07.2024, granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C.
6. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
7. Liberty is reserved in favour of the State/complainant to move for cancellation/recalling of the order in case the petitioner violates any condition stipulated under Section 438 (2) Cr.P.C., or upon showing any other sufficient cause.
8. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

17th September 2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No