

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

CRM-M-43866 of 2022

DATE OF DECISION :- 12.01.2024

Gurwinder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present:- Mr. Tarunveer Vashist, Advocate
with Mr. Brijeshwar Vashist, Advocate for the petitioner.

Mr. Adhiraj Singh, AAG, Punjab.

Mr. Kirandeep Kaur, Advocate
for Mr. Fariad Singh Virk, Advocate for the complainant.

SUMEET GOEL, J. (Oral)

1. On 22.09.2022, the following order was passed:-
"The petitioner is seeking anticipatory bail in case bearing FIR No.0069 dated 09.09.2022 under Sections 406 and 498-A IPC registered at Women Police Station, Patiala.
Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with respondent No.2 on 16.02.2021. In the complaint submitted to the police, the allegations were also levelled against other family members of the petitioner but they have been found innocent. The FIR has been registered only against the petitioner. Respondent No.2 had left the matrimonial home on account of normal wear and tear of matrimonial life and has no concern with demand of dowry and maltreatment meted out to respondent No.2. Furthermore, the petitioner is ready and willing to amicably settled the dispute.
Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab, accepts notice on behalf of respondent No.1-State.

Mr. F.S.Virk, Advocate, also accepts notice on behalf of respondent No.2 and fairly submits that respondent No.2 is not averse to possibility of exploring the amicable settlement.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 20.10.2022.

The petitioner shall also pay a sum of Rs.30,000/- to respondent No.2 on her appearance before the Mediator to facilitate her presence and participation during the course of mediation proceedings.

The report be awaited for 20.01.2023.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

2. Learned State counsel on instructions from ASI Lakhwinder Singh has stated that pursuant to the order dated 22.09.2022, the petitioner has joined investigation and is no longer required for custodial interrogation.
3. In view of above, the interim order dated 22.09.2022 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. This order should not be treated as “blanket” order. It will not be read 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.
5. 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.

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

(SUMEET GOEL)
JUDGE

12.01.2024
P.Singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No