

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

203

CRM-M-45569-2022
Date of decision: 22.03.2024

RAJESH TIWARI
V/s
STATE OF PUNJAB
....PETITIONER
....RESPONDENT

CORAM: HON’BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Saleem Ahmed, Advocate
for the petitioner.

Mr. Anup Singh, AAG, Punjab.

None for the complainant.

SUMEET GOEL, J.

1. Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.24 dated 01.02.2022, registered for the offences punishable under Sections 406 and 498-A of IPC at Women Police Station, District Police Commissionerate Ludhiana.
2. On 15.05.2023, the following order was passed:-

*“Learned counsel for the petitioner as well as the complainant submit that mediation between the parties was successful, and a settlement/agreement dated 17.04.2023 has been arrived at between them.
Adjourned to 03.10.2023.
In the meanwhile, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer, and in the event of arrest, he shall be released on interim bail to the satisfaction of Arresting Officer. The petitioner shall also abide by the conditions of Section 438 (2) Cr.P.C.”*
3. Learned counsel for the petitioner has also argued that the matter has been amicably settled between the parties and a compromise quashing petition has already been filed in this Court bearing No. CRM-M-29254-2023.

4. Learned State counsel, on instructions from SI Meet Ram, has stated that pursuant to the order dated 15.05.2023 the petitioner has joined investigation and is no longer required for custodial interrogation.
5. In view of above, the present petition is allowed and interim order dated 15.05.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
6. 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.
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.
9. Pending application(s), if any, shall also stand disposed off.

(SUMEET GOEL)
JUDGE

March 22, 2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No