

2024:PHHC:026990

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

206

CRM-M-43922-2019

Date of decision: 27.02.2024

HARPREET KAUR

....Petitioner

V/s

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Rajinder Kumar, Advocate, for the petitioner.

Mr. Adhiraj Singh Thind, AAG, Punjab.

SUMEET GOEL, J. (ORAL)

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.0202 dated 03.08.2019, registered for the offences punishable under Sections 377, 498-A, 420, 406 & 506 of IPC at Police Station City Kapurthala, District Kapurthala.

2. On 20.02.2020, the following order was passed:-

“Counsel for the petitioner submits that pursuant to order dated 17.10.2019 passed by this Court, the petitioner has joined the investigation.

At this stage, appearance is caused on behalf of the complainant, who submits that a compromise has been arrived at between the parties, however, the parties are not adhering to the same. It is submitted that as per Annexure P-12, available on record, an amount of 8 lacs was to be paid to the complainant herein by the petitioner and her family members, however, only an amount of 2 lacs has been paid. Learned counsel for the complainant submits that the complainant is ready and willing to abide by the terms of the compromise and to give a divorce and also make a statement regarding quashing of the FIR.

Mr. Singla, appearing on behalf of the petitioner herein submits that the petitioner along with her family members are ready and willing to abide by the terms of the compromise. Learned counsel for the petitioner herein submits that the terms of the compromise will also be adhered to by their side.

Let the petitioner and the complainant appear before the Mediation and Conciliation Centre of this Court on 25.03.2020, so that terms of the compromise can be reduced into writing. Interim directions to continue during the period of mediation proceedings are undertaken.”

The mediation proceedings could not be successfully undertaken.

3. Learned State counsel, on instructions from ASI Dilbagh Singh, has stated that pursuant to the order dated 20.02.2020, the petitioner has joined investigation and is no longer required for custodial interrogation.

4. In view of above, the present petition is allowed and interim order dated 20.02.2020 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

5. 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.

6. 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.

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

February 27, 2024
poonam

(SUMEET GOEL)
JUDGE