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CRM-M-50374-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50374-2023 (O&M)

Date of Decision: 20.09.2024

MANAN MALHOTRA

.. Petitioner

Vs.

STATE OF HARYANA & ANR.

..Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Viren Jain, Advocate and
Ms. Komaljit Kaur, Advocate for the petitioner.

Ms. Priyanka Sadar, AAG, Haryana.

Mr. Karanvir Singh Khehar, Advocate
for respondent No.2.

...

SUMEET GOEL, J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.75 dated 11.09.2023 under Sections 323, 406, 498-A, 506 of the Indian Penal Code, 1860 (IPC) registered at Police Station Women Police Station, Sector 5, Panchkula.

2. On 09.10.2023, the following order was passed:-

“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.75 dated 11.09.2023 under Sections 323, 406, 498-A, 506 of the Indian Penal Code, 1860 (IPC) registered at Police Station Women Police Station, Sector 5, Panchkula.

Learned counsel for the petitioner, at the outset, states that the parents of the petitioner have been granted the concession of anticipatory bail and they have joined the investigation and have also got some of the recoveries effected. The learned counsel would further contend that the petitioner is willing to join investigation and co-operate as also to return all the Istridhan articles lying with him. It is further contended that the petitioner is willing to settle the matter and for the purpose the matter may be referred to the Mediation & Conciliation Centre situated in this Court.

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Notice of motion.

Ms. Mayuri Lakhanpal Kalia, DAG Haryana accepts notice on behalf of respondent-State of Haryana. Mr. Samar Pratap Singh Ahluwalia, Advocate has put in appearance on behalf of the complainant.

Learned counsel for the complainant states that the complainant would be open to exploring the possibility of a compromise. Learned counsel for the State has submitted that the parents of the petitioner were granted the concession of anticipatory bail and they have joined the investigation and have also got certain recoveries effected.

Let the parties appear before the Mediation & Conciliation Centre on 30.10.2023. The petitioner shall also bring a bank draft for Rs.30,000/- in the name of the complainant towards litigation expenses which shall be handed over to her before the Mediator.

List the matter before the Court on 20.12.2023.

Meanwhile, arrest of the petitioner shall remain stayed.”

3. On 16.09.2024, the following order was passed:

“Learned counsel for the petitioner as also learned counsel for respondent No.2 have jointly submitted that an amicable settlement has indeed been arrived at between the parties.

Learned counsel (on instructions from their respective clients) have submitted that the parties be send to Mediation and Conciliation Centre of this Court tomorrow i.e. 17.09.2024 at 10 a.m. to reduce into writing the terms of the settlement and iron out differences, if any remaining.

In the interest of justice, the parties (through their respective learned counsel) are directed to appear before the Mediation and Conciliation Centre of this Court.

*Put up on 20.09.2024. along with the report of Mediator.
Interim order to continue.”*

4. Today, learned counsel for the petitioner as also learned counsel for respondent No.2 are *ad idem* that the matter has amicably been settled between the parties and terms thereof have been reduced into writing by way of a settlement agreement dated 17.09.2024.

5. Learned State counsel, on instructions from ASI Anita, has stated that the petitioner has joined investigation and is not required for custodial interrogation as of now.



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6. In view of above, the petition is allowed and interim order dated 09.10.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
7. This order should not be treated as “blanket” order. It will not be interpreted as 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.
8. 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.
9. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
10. Pending applications, if any, shall also stand disposed off.

20.09.2024
Jasmine Kaur

(SUMEET GOEL)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No