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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54556-2023 (O&M)
Date of Decision: 20.02.2024

MANPREET SINGH

.. Petitioner

Vs.

STATE OF PUNJAB AND ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Gurjant Singh Swaich, Advocate for the petitioner.

Mr. Anup Singh, AAG, Punjab.

Mr. Pankaj Bains, Advocate for
Mr. Shashank Sharma, 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.70 dated 05.09.2023 under Sections 406, 498-A of the Indian Penal Code, 1860 registered at Police Station Women, District S.A.S. Nagar, Mohali, Punjab.
2. On 31.10.2023, 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.70 dated 05.09.2023 under Sections 406, 498-A of the Indian Penal Code, 1860 registered at Police Station Women, District S.A.S. Nagar, Mohali, Punjab.

Learned counsel for the petitioner, at the outset, states that the petitioner is willing to settle the matter and that there is a minor child who is with the complainant. It is further the contention that the petitioner has also filed a petition under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights. It is further stated that the petitioner is willing to return all the Istridhan articles that are available with him.

Notice of motion.

Mr. Adhiraj Thind, AAG Punjab accepts notice on behalf of respondent No.1-State of Punjab. Let notice be issued to respondent No.2 returnable 19.01.2024.

Meanwhile, the petitioner is directed to join investigation as and when called for. In the event of arrest, the petitioner shall be admitted to interim bail on furnishing personal bonds with adequate surety to the satisfaction of the Arresting Officer. The petitioner shall also abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973."

3. Thereafter on 19.01.2024, the following order was passed.

"Mr. Shashank Vardaan Sharma, Advocate has appeared and filed vakalatnama on behalf of respondent No.2. The same is taken on record.

Learned counsel for the petitioner as also learned counsel for respondent No.2 jointly submit that there are chances of settlement between the parties and the matter be referred to the Mediation and Conciliation Centre of this Court.

Accordingly, the parties are directed to appear before the Mediation and Conciliation Centre of this Court on 31.01.2024.

Put up after submission of report of the Mediator on 20.02.2024.

Interim order to continue till the next date of hearing."

4. A report dated 07.02.2024 sent by Sh. Davinder Pal Soni (Mediator) has been received, which reads as under:

***"MEDIATION AND CONCILIATION CENTRE OF PUNJAB AND
HARYANA HIGH COURT, CHANDIGARH***

Mediation Case No. 198 of 2024

Re: CRM-M-54556-2023

Manpreet Singh vs. State of Punjab and Another

Present:- Manpreet Singh-Petitioner.

***Sonam Khurana-Respondent No.2 along with
her father-Harish Chander.***

Parties have settled their dispute by way of amicable settlement, which is enclosed herewith. Hence, the case be sent back to the Hon'ble Court for further adjudication.

(Davinder Pal Soni)

Mediator

***07.02.2024
suman"***

5. Learned State counsel, on instructions from ASI Mandeep

has joined investigation and is no longer required for custodial interrogation.

6. In view of above, the petition is allowed and interim order dated 31.10.2023 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. The parties shall remain bound by the terms of the settlement arrived at between the parties.
10. Needless to say that anything observed herein above shall not be construed to be an opinion on the merits of the case.
11. Pending application(s), if any, shall also stand disposed off.

20.02.2024

(SUMEET GOEL)
JUDGE

Jasmine Kaur

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No