

CRM-M-55282-2023 (O&M) 2024:PHHC: 060257 - 1 -

220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55282-2023 (O&M)
DATE OF DECISION : 01.05.2024

LOVEDEEP SINGH ... PETITIONER
V/S
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Arpan Sabharwal, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Ashish Pandher, Advocate for respondent No.2.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No. 206 dated 28.09.2023 registered under Sections 406/498-A IPC, 1860 at Police Station Division No.6, Police Commissionerate Ludhiana.

2. On 06.11.2023 following order was passed:

“xxxx Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the complainant/respondent No.2 on 29.01.2020 and a daughter has been born from the wedlock. The FIR was registered on the basis of false allegations. The petitioner was granted interim bail by the Court of Sessions and he had joined the investigation. The recovery of articles of Istri Dhan was also got effected and the same were recovered vide recovery memo Annexure P-5. The bail application has been dismissed by the Court of Sessions primarily on the score that the recovery of articles of Istri Dhan has not been got effected. Furthermore, petitioner is not in possession of any article Istri Dhan and is ready and willing to amicably settle the matrimonial dispute.

3. Notice of motion.

4. Ms. Ruchika Sabherwal, DAG, Punjab accepts notice on behalf of the respondent-State.

5. Ms. Rashika Bansal, Advocate has put in appearance on behalf of the complainant/respondent No.2 and she has disputed

the factual assertions as put forth on behalf of the petitioner. However, it has been specifically and categorically submitted that the complainant/respondent No.2 is not inclined to explore the possibility of amicable settlement through mediation.

6. Adjourned to 08.12.2023.

7. Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

3. Learned counsel for the petitioner contends that the petitioner has joined the investigation in compliance of the order passed by this Court.

4. Learned counsel appearing on behalf of the respondent-State, on instructions from ASI Ranbir Singh, has also confirmed that the petitioner has joined investigation in compliance of the aforesaid order. Even the matter stands settled, as per the report dated 29.04.2023 of the Mediation and Conciliation Center.

5. Both the counsel for the petitioner and respondent No.2 have confirmed the factum of settlement *inter se* the parties.

6. In view of the reasons recorded in the order dated 06.11.2023 and keeping in view the fact that the petitioner has joined the investigation, the present petition is allowed and the order dated 06.11.2023 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

7. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

01.05.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE