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212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55843-2023 (O&M)
DATE OF DECISION : 31.07.2024

AMRITPAL SINGH ... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Rishu Mahajan, Advocate for the petitioner.
Ms. Sakshi Bakshi, AAG, Punjab.
Mr. Vivek Salathia, Advocate for respondent No.2.

* * * *

HARPREET KAUR JEEWAN, J. (ORAL)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.73 dated 06.08.2023 under Sections 498-A, 406 and 323 of the Indian Penal Code, 1860 registered at Police Station Women Cell, Amritsar, District Amritsar.
2. On 06.11.2023, the matter was referred to the Mediation and Conciliation Centre of this Court and following order was passed:

“Learned counsel for the petitioner, at the outset, states that the petitioner is willing to settle the matter either way. Learned counsel for the petitioner further states that in case the parties decide to part ways the petitioner would return all the istridhan articles.

Notice of motion.

Mr. Adhiraj Singh Thind, AAG, Punjab, who is present in Court, accepts notice on behalf of respondent No.1-State.

Mr. Vivek Salathia, Advocate accepts notice on behalf of

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respondent No.2-complainant and has filed his power of attorney, which is taken on record. He, on instructions from the respondent No.2-complainant, who is present in Court, states that the respondent No.2-complainant is willing to explore the possibility of a compromise and prays that the matter may be referred to Mediation and Conciliation Centre of this Court.

The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 29.11.2023. The petitioner shall bring a demand draft of Rs.30,000/- in the name of respondent No.2-complainant towards litigation expenses, which shall be handed over to respondent No.2-complainant before the Mediator. The petitioner, in order to show his bonafides, shall also get a FDR made in the name of the daughter to the tune of Rs.1,00,000/-.

List on 18.01.2024.

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 adequate surety and personal bonds 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. As per the initial report of the Mediation and Conciliation Centre of this Court, the matter was sent back as non-starter. Vide order dated 05.04.2024, the petitioner was granted another opportunity to join the mediation proceedings. Now as per the report of the Mediation and Conciliation Centre of this Court, the matter could not be settled.

4. Learned counsel for respondent No.2 has submitted that petitioner has not complied with the order dated 06.11.2023 by not depositing the FDR amounting to Rs.1,00,000/- in the name of the daughter of the petitioner which was ordered by the Co-Ordinate Bench of this Court.

Even the litigation expenses of Rs.30,000/- has not been paid.



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5. In view of the aforesaid facts and circumstances, the petitioner is not entitled for concession of anticipatory bail. Accordingly, the petition stands dismissed. The orders of interim bail dated 06.11.2023 and 11.03.2024 stand vacated
6. All the pending miscellaneous applications, if any, shall stand disposed of.

31.07.2024 (HARPREET KAUR JEEWAN)
Janki JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No