



petitioner.

Notice of motion.

On the asking of the Court, Mr. Subhash Godara, Addl.A.G., Punjab, who is present in Court, accepts notice on behalf of the respondent-State.

At this stage, Mr. S.S. Aviraj, Advocate puts in appearance on behalf of the complainant/respondent No.2 and files his vakalatnama which is taken on record. He vehemently opposes the prayer made by learned counsel for the petitioner on the ground that there are serious and specific allegations against the petitioner.

However, learned counsel of both the parties are ad idem that the matter can be resolved amicably in case the matter is referred to the Mediation and Conciliation Centre of this Court.

The parties along with their respective counsel are directed to appear before the Mediation and Conciliation Centre of this Court within a period of one week.

*In the meantime, keeping in view the law enunciated by the Hon'ble Supreme Court in **Satender Kumar Antil Vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre Vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. Vs. State of Punjab (1980) 2 SCC 565, Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal Vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833**, at the first instance, the petitioner is directed to appear before the Investigating Officer within two weeks from today and on his doing so or in the event of arrest, the petitioner shall be admitted to interim bail on furnishing of bail/surety bond to the satisfaction of the Investigating/Arresting Officer. The petitioner shall cooperate with the Investigating/Arresting Officer and abide by the conditions as provided under Section 482 (2) of BNSS (earlier 438 (2) Cr.P.C.).*

If the Investigating/Arresting Officer does not permit the petitioner to join the investigation, the petitioner would appear before the Illaqa Magistrate, who would then summon the Investigating/Arresting Officer and direct him to join the petitioner in investigation, in terms of the order



of this Court.

Adjourned to 12.12.2024.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.”

3. Learned State counsel, on instructions from Inspector Beant Kaur, submits that in compliance of order dated 14.11.2024 passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.
4. Learned counsel for respondent No.2 submits that documents of son of respondent No.2 are in possession of the petitioner and he has also to handover scooty owned by respondent No.2.
5. Learned counsel for the petitioner submits that whatever documents are in possession of the petitioner along with the scooty owned by respondent No.2, he will hand-over the same to the investigating officer within a period of one week, who shall thereafter hand them over to respondent No.2.
6. Keeping in view the statement made by learned State Counsel, the order dated 14.11.2024, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 482 (2) BNSS.
7. The petition is accordingly disposed of.
8. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

December 12, 2024
manisha

(HARPREET SINGH BRAR)
JUDGE

- (i)

Whether speaking/reasoned

Yes/No
- (ii)

Whether reportable

Yes/No