

CRM-20607-2024 IN/&
CRM-M-61397-2023 (O&M)

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125+213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-20607-2024 IN/&
CRM-M-61397-2023 (O&M)
DATE OF DECISION : 09.05.2024

AMRITPAL SINGH AND ANOTHER ... PETITIONERS
V/S
STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Tarun Singla, Advocate for the petitioners.
Ms. Sakshi Bakshi, AAG, Punjab.
Mr. G.S.Aulakh, Advocate for respondent No.2.

* * * *

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.64, dated 05.10.2023, registered at Police Station Women, District Bathinda, under Sections 498-A and 406 of the IPC.

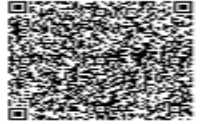
2. On 07.12.2023 following order was passed:

“The allegations against the petitioners are that they are the father-in-law and the mother-in-law of the victim, who is the daughter of the complainant. Both the husband and the wife who were having matrimonial dispute are residing in Canada. The dowry articles worth Rs.3,00,000/- were entrusted to petitioner No. 2 Swaranjit Kaur. Apart from this, there are allegations that a sum of Rs.6,00,000/- were transferred in the account of petitioner No. 1 Amritpal Singh by the victim from Canada.

Learned counsel for the petitioners inter alia submits that after the marriage which as solemnized on 17.11.2019, the daughter of the respondent-complainant also went to Canada on 25.06.2022. The petitioners have no role to play in the matrimonial life of their son and the daughter of respondent No. 2 as they are residing in Canada. However, the petitioners are still ready for settling the dispute and join the investigation.

Notice of motion.

Having received advance copy of the petition, Mr. Sarabjit Singh Cheema, D.A.G., Punjab, appears on behalf of the



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respondent-State and opposed the bail application on the ground that there are allegations that a sum of `6,00,000/- was transferred by the daughter of the respondent-complainant to the account of her father-in-law (petitioner No. 1).

Mr. Gurvinder Singh Aulakh, Advocate, accepts notice on behalf of the respondent and filed his Memorandum of Appearance in Court today, which is taken on record. He is directed to file his power of attorney on the next date of hearing.

There appears to be some chances of settlement, as such, both the petitioners and the respondent-complainant are directed to appear before the learned Mediator of the Mediation and Conciliation Centre of the District Court, Bathinda on 12.01.2024 at 11:00 a.m. for settling their dispute.

Adjourned to 08.04.2024 for awaiting the report of the learned Mediator.

In the meanwhile, petitioner No. 1-Amritpal Singh shall transfer a sum of Rs.2,00,000/- to the account of her daughter-in-law, namely Ramanpreet Kaur, within three weeks from today, to show his bona fide. The account details of the daughter-in-law of the petitioners, be supplied by learned State counsel to the counsel for the petitioners, well in advance.

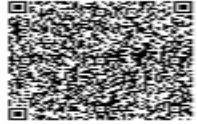
Keeping in view the above, the petitioners are directed to join the investigation within 10 days and in that event, they shall be released on interim bail, on their furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Ilqa Magistrate.

They shall also comply with the conditions stipulated in Section 438(2) of the Cr.P.C.

It is however, made clear that in case the aforesaid conditions are not ful-filled, the interim order shall be deemed to have been automatically vacated.”

3. Learned counsel for the petitioners contends that the petitioners have joined the investigation in compliance of the order passed by this Court and also deposited a sum of Rs. 2 Lakhs in the name of their daughter-in-law.

4. Learned counsel for respondent No.2/complainant submits that recovery is yet to be effected. He has, however, confirmed the receipt of Rs.2 Lakhs in compliance of the order of this Court.



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5. Learned State counsel, on instructions from ASI Bhupinder Singh, has confirmed that the petitioners have joined the investigation. The investigation is complete. Challan/final report under Section 173 Cr.P.C. has been presented in the trial Court.

6. Learned counsel for the complainant raises only one objection that there are chances of settlement. Though the mediation has failed, however, he may be permitted to again make a request to the trial Court for making a reference to the Mediation Centre before the charges are framed.

7. In view of the aforesaid facts and circumstances, and the reasons recorded in the order dated 07.12.2023 and keeping in view the fact that the petitioners have joined investigation, their custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 07.12.2023 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438(2) Cr.P.C.

8. The complainant is permitted to make a submission to the trial Court for amicable settlement and for making a reference to the Mediation again.

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

10. Pending miscellaneous application(s), if any, shall also stand disposed of.

09.05.2024
Janki

(HARPREET KAUR JEEWAN)
JUDGE

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