



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-65355-2023 (O&M)
Date of Decision: 22.08.2024

SARBJEET SINGH

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Ms. Meena, Advocate for
Mr. Amit Arora, Advocate
for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Ritesh Pandey, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN , J.

1. The instant first petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.301 dated 09.11.2023, under Sections 498-A and 406 IPC, 1860, registered at Police Station Civil Lines Batala, District Batala.
2. On 12.03.2024, this Court passed the following order and directed the petitioner to join the investigation:

‘Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.301 dated 09.11.2023 registered under Sections 498-A, 406 of IPC, 1860 at Police Station Civil Lines Batala, District Batala.

Mr. Ritesh Pandey, Advocate has filed power of attorney on behalf of respondent No.2/complainant and contends that one



opportunity may be given to the parties to appear before the Mediation and Conciliation Center of this Court.

Let the parties again appear before the Mediation and Conciliation Centre of this Court on 21.03.2024.

For awaiting the report of the Mediator, adjourned to 29.04.2024.

In the meantime, interim order to continue and petitioner is directed to join investigation within ten days and in the event of arrest, he shall be released on interim bail, to the satisfaction of the arresting officer/Area Magistrate, subject to furnishing bonds/surety, and also subject to the following conditions:-

(i) That the petitioner shall further make himself available for interrogation by a police officer as and when required.

(ii) That the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

(iii) That the petitioner shall not leave India without the prior permission of the Trial Court/CJM concerned.'

3. Learned State counsel on instructions from ASI Daljit Singh has confirmed that the petitioner has joined the investigation in terms of the order dated 12.03.2024 passed by this Court and his custodial interrogation is not required.

4. Both the parties have also appeared before the Mediation and Conciliation Centre of this Court. As per the report dated 05.08.2024, received from the Mediator, the parties could not reach at any amicable settlement.

5. In view of the aforesaid facts and the reasons recorded in the order dated 12.03.2024 and keeping in view the fact that the allegations and counter-allegations between the petitioner and the complainant are matter of trial; the petitioner has joined the investigation and his further custodial interrogation is not required by the Investigating Agency, the present petition is allowed and the order dated 12.03.2024, granting interim bail to the petitioner is made absolute, subject to the conditions laid down under Section 438(2) Cr.P.C. This order shall be further subject to deposit of a sum of ₹20,000/- as costs of litigation in favour of the respondent No.2, which shall be paid by way of a

demand draft in favour of the respondent No.2 through the Chief Judicial Magistrate concerned.

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

7. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

22.08.2024
P.Bhatt

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