



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M No.20354 of 2024
Date of decision: 16.01.2025

Harinder Singh Garcha

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. R.S. Narang, Advocate
with Ms. Ishita Kaur, Advocate
and Ms. Manpreet Kaur, Advocate for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Birinder Pal, Advocate for respondent No.2.

NAMIT KUMAR J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR
No.0006 dated 01.02.2024, registered under Section 498-A IPC, at
Women Police Station, District Mohali.

On 25.04.2024, the following order was passed:-

XX XX XX XX

2. Learned counsel for the petitioner inter alia contends that the petitioner is the husband of respondent No. 2-complainant. The marriage of the petitioner and the complainant was solemnized in the year 2007. The petitioner had already filed a divorce petition on 12.05.2022 and they have already been separated since the year 2019. After appearing in the said divorce petition, a complaint dated 27.03.2023 was filed upon which the present FIR has been registered on 01.02.2024. However, the petitioner is ready for reconciliation.

3. Notice of motion.

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4. On advance notice, Mr. Kewal Singh, Addl. A.G., Punjab, appears on behalf of respondent No. 1-State and seeks time to file status report.

5. Mr. Birinder Pal, Advocate, accepts notice on behalf of respondent No. 2 and has filed his power of attorney in Court today. The same is taken on record.

6. Learned State counsel contends that the petitioner has not yet joined the investigation.

7. After arguing for some time, learned counsel for respondent No. 2 contends that even the complainant is ready for reconciliation.

8. Keeping in view the facts and circumstances of this case, in the opinion of this Court, it is a fit case for making a reference to mediation.

9. The parties are directed to appear before the Mediation and Conciliation Centre of this Court on 08.05.2024 at 10:00 a.m. for exploring the possibility of an amicable settlement.

10. To await the report, list on 24.05.2024.

11. To be heard along with CRM-M-19553-2024.

12. In the meantime, no coercive actions shall be taken against the petitioner. However, the petitioner would not leave India without the prior permission of this Court.

Learned counsel for the complainant/respondent No.2 has placed on record reply of the complainant/respondent No.2, which is taken on record.

Learned counsel for the petitioner has submitted that, in pursuance to the order dated 25.04.2024 passed by this Court no coercive action has been taken against the petitioner and he has appeared before the Investigating Officer and joined the investigation.

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Learned State counsel, on instructions from HC Harjeet Singh 1717/SAS Nagar, Mohali, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim relief granted to the petitioner vide order dated 25.04.2024 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C. (now 482(2) of BNSS, 2023).

(NAMIT KUMAR)
JUDGE

16.01.2025
yakub

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