

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(209)

CRM-M-33739-2025 (O&M)
Date of Decision: 07.8.2025

Adil Khan

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Mohd. Yousaf, Advocate
for the petitioner.

Ms. Aakanksha Gupta, AAG, Punjab.

Mr. Mohan Singh Chauhan, Advocate
for respondent No. 2.

KIRTI SINGH, J. (ORAL)

1. Prayer in the present petition filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for grant of anticipatory bail to the petitioner in case FIR No. 47 dated 24.5.2025, under Sections 316(2) and 85 of BNS, 2023, registered at Police Station Women Cell, District Jalandhar.

2. Status report by way of affidavit of Assistant Commissioner of Police, NDPS/PBI cum CAW and Children, Jalandhar has been filed by the State, which is taken on record.

3. Vide order dated 02.7.2025, the parties were directed to appear before the Mediation & Conciliation Centre of this Court to explore the possibility of amicable settlement. The said order is reproduced hereinafter.

“x x x x

*At the very outset, learned counsel for the petitioner prays
that the complainant be impleaded as respondent No.2 for proper*

adjudication of the matter. The said prayer is allowed. Accordingly, Ms. Nishat Bano, the complainant, is ordered to be impleaded as respondent No.2.

Learned counsel for the petitioner is directed to file amended memo of parties in the registry. Learned counsel for the petitioner further submits that there is a possibility of amicable resolution of the dispute and prays that the matter be referred to the Mediation and Conciliation Centre of this Court.

Notice of motion.

At the asking of the Court, Mr. Tarun Aggarwal, Addl. AG, Punjab, accepts notice on behalf of respondent-State and prays for time to file reply.

Mr. Mohan Singh Chauhan, Advocate, has put in an appearance on behalf of respondent No.2 and filed his memorandum of appearance in Court today, which is taken on record, subject to all just exceptions. Office is directed to tag the same at appropriate place. He undertakes to file his Vakalatnama in the registry in due course of time.

Both parties are directed to appear before Mediation and Conciliation Centre of this Court on 07.07.2025 at 11:00 AM. The petitioner shall pay an amount of Rs.25,000/- to respondent No.2 as litigation expenses on the date fixed before the Mediation Centre.

Adjourned to 07.08.2025.

In the meanwhile, no coercive steps shall be taken against the petitioner.”

4. As per the report dated 28.7.2025, received from the Mediation and Conciliation Centre of this Court, the parties have amicably settled their dispute. As per the said compromise arrived at between the parties, all the dowry articles including the gold items have been returned to respondent No. 2.

5. Learned counsel for the petitioner has handed over a demand draft of Rs. 3.5 lacs to the learned counsel for respondent No. 2. Learned counsel for respondent No. 2 also admitted the factum of compromise between the parties.

6. Keeping in view the fact that the parties have amicably settled their dispute and all the dowry articles have been handed over to respondent No. 2 by the petitioner, therefore, this Court deems it appropriate to allow the instant petition.

7. Accordingly, the instant petition is allowed. The petitioner is directed to join the investigation within a week. In the event of arrest, the petitioner shall be released on bail by the arresting/investigating officer on his furnishing bail/surety bonds to the satisfaction of the arresting/investigating officer, subject to the conditions as provided under Section 438(2) Cr.P.C. It is also directed that in case in future the petitioner is required to join the investigation process, thereupon he shall join the investigation and cooperate fully with the investigation process.

8. It is made clear that this order should not be treated as "blanket" order. It will not be read granting the petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

9. This order does not in any manner limit or restrict the rights or duties of the police or investigating agency to investigate into the charges against the petitioner.

10. The accused-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 or her from disclosing such facts to the Court or to any police officer.

11. The accused-petitioner shall not leave India without prior permission of the Court.

12. The accused-petitioner shall join the investigation as and when called by the police.

13. It will be open to the police or the investigating agency to move to this Court for a direction under Section 483(3) of BNSS, 2023 (erstwhile Section 439(2) of Cr.P.C.) to arrest the accused-petitioner, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

14. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

August 07, 2025

Gurpreet Singh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No