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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-59300-2024 (O&M)
Date of Decision:- 03.02.2025

SWARAN SINGH

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Akshay Chadha, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

Mr. Ivan Singh Khosa, Advocate for complainant.

AMARJOT BHATTI, J.

CRM-4193-2025

Learned counsel for applicant/petitioner has filed an application for placing on record compromise as Annexure P-4.

Learned counsel for the State submits that he has no objection to the application being allowed.

For the reasons mentioned in the application and no objection suffered by State counsel, application is allowed and accompanied document is taken on record as Annexure P-4, subject to just exceptions.

Main case.

1. Petitioner Swaran Singh has filed instant petition under Section 482 of BNSS, 2023 for grant of anticipatory bail in FIR No.79

dated 09.10.2024 (Annexure P-1) under Sections 406 and 498-A of IPC registered at Police Station Division NRI Ludhiana.

2. Learned counsel for petitioner argued that petitioner was granted interim bail vide order dated 05.12.2024 and relevant portion thereof runs as under:-

“Apprehending his arrest in FIR No. 79 dated 09.10.2024 registered for offences punishable under Sections 406 and 498-A IPC at Police Station Division NRI Ludhiana; the petitioner has preferred this petition under Section 482 of BNSS seeking pre-arrest bail.

Inter-alia contends that genesis of the FIR in question is result of the matrimonial discord between the son of the petitioner and the complainant, the petitioner has always been willing to enter into an amicable settlement, the petitioner has also always been willing to handover the Istridhan/gold articles in his possession and to show his bonafide, learned counsel for the petitioner has produced before this Court a demand draft of Rs.13 lakhs bearing No. 431647 dated 02.12.2024 & the petitioner is willing to join investigation and cooperate therein.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh, AAG, Punjab appears and accepts notice on behalf of the respondent-State.

Mr. Shivam Grover, Advocate has entered appearance on behalf of the complainant.

Adjourned to 09.01.2025.

The petitioner is directed to appear before the Investigating Officer on 07.12.2024 at 11:00 A.M. in

concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 482(2) of BNSS, 2023.

The above said demand draft has been handed over to learned counsel appearing on behalf of the complainant for onward transmission to the complainant. A photocopy of the demand draft be kept on record.

At this stage, a joint request has been made by learned counsel for the petitioner as also learned counsel for the complainant that there may be chances of amicable settlement between the parties, therefore, the matter be referred to the matter to Mediation and Conciliation Centre of this Court.

Keeping in view the entirety of facts and circumstances of the case, especially the factum of the matter in hand arising out of matrimonial discord, the parties (through their respective counsel) are directed to appear before the Mediation and Conciliation Centre of this Court on 10.12.2024 and report therefrom be awaited for 09.01.2025.

In order to show his further bonafide, learned counsel for the petitioner has submitted that the petitioner shall furnish an amount of Rs.50,000/- to the complainant towards travelling/litigation expenses on her putting appearance before the Mediation and Conciliation Centre of this Court.”

3. He pointed out that matter has been compromised. Petitioner has already joined the investigation as per previous order dated 05.12.2024. He is still ready to abide by the terms of bail order. Therefore, anticipatory bail application may be allowed.

4. Learned counsel representing complainant confirmed the compromise arrived with the petitioner. Today compromise deed (Annexure P-4) is also placed on record. This fact is also not disputed by learned counsel representing State. The matter is settled between the parties. No purpose would be served by sending petitioner, who is father-in-law, behind the bars. He is still ready to join investigation as and when required. Therefore, interim bail already granted vide order dated 05.12.2024 stands confirmed subject to the same terms and conditions as detailed under Section 482 (2) of BNSS, 2023.

5. Petition is, accordingly, disposed of.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

03.02.2025
Snd

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No