



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

208

CRM-M No.38542 of 2024
Date of decision: 28.01.2025

Harjinder Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Manpreet Singh Dhaliwal, Advocate
for Mr. B.S. Hundal, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. There is no representation on behalf of the complainant.
2. This petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case bearing FIR No.14 dated 6.2.2024, registered for offences punishable under Sections 420 and 120-B of IPC at Police Station Mullan Garib Dass, District SAS Nagar (Mohali).
3. On 16.01.2025, the following order was passed:-

“XX XX XX XX

On 9.8.2024, the following order was passed:

Learned counsel for the petitioner submits that he is ready to settle the matter with the complainant. He further submits that during the inquiry, both the co-accused returned the money and were exonerated. He further submits that the matter may be sent to Mediation and Conciliation Centre of this Court for settlement.

Notice of motion.

At the asking of the Court, Ms. Manjot Kaur, AAG, Punjab accepts notice on behalf of respondent-State

2025:PHHC:012139



and seeks time to file status report. A copy of the paper book be supplied to her during the course of the day. Notice be also issued to the complainant-Gurpreet Singh through SHO concerned for the purpose of settlement only.

Let parties to appear before the Mediation and Conciliation Centre of this Court on 14.08.2024 or any date, thereafter as directed. For awaiting report, adjourned to 21.10.2024. Till then, the arrest of the petitioner shall remain stayed.

*Learned counsel for the petitioner has, inter alia, contended that the matter has been settled between the parties and nothing survives. The petitioner is ready and willing to join investigation and cooperate therein in accordance with law. In order to buttress his arguments, learned counsel for the petitioners has relied upon the dicta of the judgments rendered by the Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar, 2014 AIR (SCW) 3930**, and reiterated in **Md. Asfak Alam Vs. The State of Jharkhand & Anr., 2023 AIR (Supreme Court) 3610**.*

Adjourned to 28.1.2025.

The petitioner is directed to appear before the Investigating Officer on 18.1.2025 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 438 of Cr.P.C.

At the request of learned counsel for the petitioner, complainant Gurpreet Singh son of Saudagar Singh R/o village Mastgarh, Police Station Mullanpur Garibdass,



Tehsil Kharar, District SAS Nagar (Mohali) is directed to be implead as party-respondent no.2.

Registry is directed to carry out requisite correction in the memo of parties.

Process dasti only qua the newly added respondent no.2 for the date fixed.”

4. Learned State counsel, on instructions from ASI Rakesh Kumar, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 16.01.2025 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).

6. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

28.01.2025

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No