

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

CRM No. M-14278 of 2014

Date of Decision: **8.1.2015**

Sukender Singh & Ors.

...Petitioners

Versus

State of Haryana & Anr.

...Respondents

CORAM: HON'BLE MR.JUSTICE MEHINDER SINGH SULLAR

Present: Mr.Gaurav Mohunta, Advocate for the petitioners.

Mr.Pravindra Singh Chauhan, Addl. AG, Haryana
for respondent No.1.

Mr.S.S.Mor, Advocate for respondent No.2.

Mehinder Singh Sullar, J. (Oral)

The petitioners Sukender Singh, his wife Rukhmani (parents-in-law) and son Ashish (brother-in-law) (Devar) of complainant Ruby d/o Satbir Dhaiya, have preferred the instant petition for the grant of concession of anticipatory bail, in a case registered against them along with their main co-accused Bishnu Tokas (husband) and others, vide FIR No.74 dated 9.2.2014 (Annexure P1), on accusation of having committed the offences punishable under Sections 498-A, 406 and 506 IPC by the police of Police Station Kharkohda, District Sonapat.

2. Notice of the petition was issued to the respondents.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and considering the entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this respect.

4. During the course of preliminary hearing, the following order was passed by this Court on 28.4.2014:-

“Learned counsel, inter alia, contended that petitioner Nos.1 and 2 are parents-in-law, whereas petitioner No.3 is brother-in-law of complainant Ruby @ Riya (respondent No.2). They have been falsely implicated by the complainant in this case being the relative of main accused Bishnu Tokas son of Sukender Singh (husband). The argument is that very vague and general allegations of cruelty in connection with and on account of demand of dowry are assigned to them. They are not beneficiary, in any manner, of the alleged demand of dowry. Moreover, they are ready to amicably settled the disputes with the complainant.

Heard.

Notice of motion be issued to the respondents, returnable for 13.05.2014.

Meanwhile, the petitioners are directed to join the investigation before the next date of hearing. In the event of their arrest, the Arresting Officer would admit them to bail on their furnishing adequate bail and surety bonds in the sum of Rs. 25,000/- each to his satisfaction.”

5. At the very outset, the learned State counsel, on instructions from Investigating Officer, has acknowledged the relevant factual matrix and submitted that the petitioners have already joined the investigation. They are no longer required for further interrogation at this stage. Moreover, very vague and general allegations of cruelty in connection with and on account of demand of dowry are assigned to them. All the main allegations of cruelty in connection with and on account of dowry are assigned to main accused-husband (beneficiary) (non-petitioner). There is no history of previous involvement of the petitioners in any other criminal case. All the offences alleged against the accused are triable by the Court of Magistrate. The final conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons, taking into consideration the totality of the facts & circumstances, emanating from the record, as depicted here-in-before and without commenting further anything on merits lest it may prejudice the case of either side during the course of trial of main

case, the instant petition for anticipatory bail is hereby accepted. The interim bail already granted to the petitioners, by means of indicated order of this Court is made absolute, subject to compliance of conditions as envisaged under section 438(2) Cr.PC.

7. Needless to mention that nothing observed here-in-above, would reflect on the merits of the main case, in any manner, as the same has been so recorded for the limited purpose of deciding the present petition for anticipatory bail. At the same time, in case, the petitioners do not cooperate or join the investigation, the prosecution/complainant would be at liberty to move an application for cancellation of their bail, in this relevant connection.

8.1.2015
AS

(Mehinder Singh Sullar)
Judge