

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-16561 of 2015
Date of decision: 20.5.2015

Naveen Yadav ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. J.S. Ghumman, Advocate for the petitioner.
Mr. Shilesh Gupta, Addl. Advocate General, Punjab.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 498-A, 323, 506 read with Section 34 IPC at Police Station Badshahpur, District Gurgaon, vide FIR No.242 dated 6.5.2015.

Learned counsel for the petitioner has argued that petitioner is innocent and has been falsely implicated.

Prayer has been opposed by the State counsel on the ground that petitioner made certain objectionable remarks in presence of members of Haryana State Commission for Women, pursuant to which an order dated 8.4.2015 was passed by the Commission. According to him, in view of same petitioner is not entitled to concession of pre-arrest bail.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

A complaint was lodged by Anjali Yadav alleging that petitioner had subjected her to cruelty after marriage due to demand of dowry. Investigation ensued thereafter. All accused except the petitioner were granted concession of pre-arrest bail. It appears, during pendency of investigation complainant also approached Haryana State Commission for Women. The Commission visited the house of the complainant where petitioner, who is brother-in-law of complainant, was present. He allegedly misbehaved with the members of the Commission and uttered objectionable remarks. Entire incident was captured in a CCTV Camera. The Commission thereafter passed the order dated 8.4.2015, which is reproduced below:-

“One of the accused Naveen Yadav (Brother of Mahesh) pounced upon the complainant (Anjali Yadav) groped her on her breast and uttered “*Tujhe Mera Bhai nahin rakhta to main rakh leta huin*”.

In view of nature of allegations, I am of the considered view that petitioner is not entitled to discretionary relief of pre-arrest bail. Petition is without any merit and is hereby dismissed.

(RAJAN GUPTA)
JUDGE

20.5.2015
'Rajpal'