

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

CRM-M No.42131 of 2014(O&M)

Date of Decision:-06.10.2015

Rati Ram & Anr.

.....Petitioners.

Versus

State of Haryana.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Suresh K. Jindal, Advocate for the Petitioners.

Mr. R.K. Doon, AAG Haryana.

Mr. U.K. Agnihotri, Advocate for the Complainant.

JASWANT SINGH, J (ORAL)

Prayer is under Section 438 Cr.PC for grant of anticipatory bail to the petitioners namely Rati Ram and Kamla (parents in law of the complainant-wife) in case FIR No.282 dated 19.09.2014 for offences punishable under Sections 323, 498-A, 406, 506, 328 and 34 of Indian Penal Code registered with Police Station Urban Estate, Rohtak.

The marriage of the complainant Savita with the son Vikas of the petitioners was solemnized on 28.11.2005 and out of their wedlock two children were born. Due to a matrimonial dispute, the wife is stated to be residing at her parents house since 19.09.2014. For the alleged occurrence the aforesaid FIR was lodged.

The husband-Vikas was arrested and released on bail after 7

days. The two minor children are concededly being looked after by the present petitioners. The matter was referred for mediation and no fruitful result has been achieved.

Learned Counsel for the petitioners submits that the petitioners are aged parents of the co-accused husband and have already joined investigation. He also states that the petitioners have to look after the two minor children as there is nobody to look after them.

Learned Counsel for the complainant submits that complete recoveries of dowry articles has not yet been effected.

Learned State counsel on instructions from HC Ashwani Kumar submits that petitioners have joined investigation and that the investigations are over and challan has already been presented.

Keeping in view the totality of the circumstances and the fact that the minor children have to be looked after by the petitioners, without commenting on the merits of the case, the petitioners are held entitled to the concession of anticipatory bail.

Resham Singh submits that pursuant to the interim order passed by this court petitioners have joined the investigation and are no longer required for custodial interrogation.

In view of the above, interim protection/bail granted vide order dated 23rd of December, 2014 is made absolute.

Petition stands disposed of.

**(JASWANT SINGH)
JUDGE**

October 06, 2015
Vinay