IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No.M-14026 of 2016 (O&M)
Date of decision : 21.09.2016

Vishwas Sharma

.....Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Abhilash Grover, Advocate
for the petitioner.

Mr. Dimple Jain, AAG, Punjab.

Mr. Lalit Sharma, Advocate
for respondent no.2.

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ANITA CHAUDHRY, J(ORAL)

Through the instant petition, the petitioner is seeking anticipatory bail in case FIR No.13 dated 04.02.2016, registered under Sections 498-A/406/323 IPC, Police Station Women Cell, Sector-16, Faridabad, District Faridabad.

Counsel for the petitioner states that they had offered the articles whatever articles were with them and it was refused by the complainant.

The State counsel supports the petitioner.

Counsel for the complainant states that the allegations are serious and the petitioner purposely had not mentioned Section 316 IPC.

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HIGH COURT CHANDIGARH

The State counsel states that the allegations under Section 316 IPC were found to be false and Section 316 IPC had been deleted. The State counsel had placed on record the report of the Medical Officer which shows that D&C (life saving emergency procedure) was carried out with the consent of Sonia and her husband.

The record reveals that the father-in-law of the complainant had filed a suit for permanent injunction against the complainant and her husband seeking injunction.

Custodial interrogation is not necessary. The petitioner is still ready to hand over the articles. The petitioner would hand over whatever articles are available with him to the Investigating Officer within a month.

Looking to all these circumstances, but without commenting on the merits of the case, the petition is allowed and order dated 27.04.2016 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i)(ii) and (iii) of the Code of Criminal Procedure.

21.09.2016 **(ANITA CHAUDHRY)**
sunil **JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

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