

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

**Crl. Misc. No. M-21674 of 2016 (O&M)
Date of decision : 21.07.2016**

Rohit Kalia

....Petitioner

versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Vikram Anand, Advocate
for the petitioner.

Ms. Mahima Yashpal, A.A.G, Haryana

RITU BAHRI, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner, in a case arising out of F.I.R No. 436 of 28.04.2016, under Sections 307/498-A/34 IPC, registered at P.S. Sadar, Gurgaon.

The allegations set out in the F.I.R are that the petitioner (husband of the complainant), was having illicit relationship with a woman named Nidhi. On 18.04.2016, when the complainant reached her house, the petitioner was packing his belongings and when the complainant asked the petitioner why he is packing the bag, an altercation took place and the complainant told the petitioner that she would die on which the petitioner told the complainant that he would provide the complainant with necessary articles. The petitioner brought a plastic container from the bathroom which was carrying inflammable material and thereafter, he ignited the match stick and came in front of the complainant and told her to die and during this, the complainant's clothes caught fire.

Learned counsel for the petitioner argued that the F.I.R has been lodged by the complainant at the behest of her father and F.I.R has been registered

after a long delay of 09 days of the accident. Petitioner got married to the complainant on 12.02.2016 against the wishes of his parents as a consequence of which the parents of the petitioner disowned their son and daughter-in-law and the parties from 10.03.2016 started residing at the flat of the father of the complainant at Sector 39, Gurgaon.

Learned counsel for the petitioner further argued that it was the petitioner who stayed with the complainant for a period of 11 days in the hospital i.e from 18.04.2016 to 28.04.2016 at Safdarjung hospital and took complete care of the complainant till he was forced by the family of the complainant to leave from the hospital. F.I.R is a result of grudge of family members of the complainant who were against the marriage of the parties as the petitioner belongs to another caste and is economically weaker to the family of the complainant.

The arguments raised by learned counsel for the petitioner is liable to be rejected as the complainant suffered 30% burns and received extremely serious burn injuries and grafting is required to be done. The allegations are serious in nature and it was the petitioner who brought the plastic container and ignited the match stick. The delay which was occurred in registration of the F.I.R is due to the fact that the complainant was unfit to make the statement.

Keeping in view the serious allegations against the petitioner, no ground is made out to grant anticipatory bail to the petitioner.

Dismissed.

21.07.2016
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>