

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No. M-25538 of 2016

Date of decision: August 12, 2016

Jyoti

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. C.M. Munjal, Advocate
for the petitioner

Ms. Dimple Jain, AAG Haryana

Mr. Damandeep Singh, Advocate
for the complainant

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 326 dated 09.05.2016 under Sections 323, 354-A(1), 377, 406, 498-A, 494, 506 IPC registered at Police Station City Sirsa, District Sirsa.

The petitioner is the mother of Manish Soni. Allegations were levelled by her daughter-in-law. The petitioner's son was earlier married. The allegations are that this fact was not disclosed and the petitioner had also participated in the second marriage. The complainant came to know of the marriage when she was pregnant. The bail application of the son of the petitioner had been dismissed. He has not surrendered yet.

Learned counsel for the petitioner contends that the offence was committed by the main accused and the first marriage was dissolved before the Panchayat and that marriage was a void marriage as the girl was around 16 years of age and no offence is made out against the petitioner.

The application has been opposed by the complainant as well as the State. Reliance has been placed upon the judgment passed by the Coordinate Bench in ***Ashok and another vs. State of Haryana, 2016(3) RCR(Criminal) 764***. It has been urged that in the similar circumstances anticipatory bail had been denied to the in-laws.

Photographs have been placed on record to show that the parents had participated in the second marriage knowing fully well that their son was married earlier and there was no divorce. The complainant has not only made allegations of conspiracy but demand of amount that was paid. The parents were aware of the

earlier marriage.

Considering the gravity of the offence and the role played by the petitioner, she is not entitled to anticipatory bail.

The petition is dismissed.

August 12, 2016
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(ANITA CHAUDHRY)
JUDGE

Whether Reasoned/Speaking	Yes/No
Whether Reportable	Yes/No