

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31703-2016

Date of Decision:- 10.11.2016

Dilbagh

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rajiv Sharma, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No.564 dated 09.05.2016, registered at Police Station City Panipat, District Panipat, who has been booked for having committed the offence punishable under Sections 376(2)(f) and 506 IPC.

During the course of preliminary hearing, the following was passed by this Court on 14.09.2016: -

“Learned counsel for the petitioner has referred to the FIR (Annexure P-1), which has been got registered on 05.09.2016 by daughter of the complainant (Rajni Sharma) against her mother Seema (complainant) and others where she has alleged that her mother is persuading her to illicit activities. Due to the said fact, she and her brother is residing separately from their mother in a rented accommodation.

Learned counsel for the petitioner submits that with regard to bad

character of the complainant, the affidavits (Annexures P-2 to P-8) have been given by her nearest relations. Further, news was also published in different newspapers about the illegal activities of the complainant, which are Annexures P-9 and P-10.

Adjourned to 29.09.2016.

The investigating officer is directed to verify the contents of above-said documents (Annexures P-2 to P-10) and shall inform accordingly on the next of date of hearing.

In the meantime, the petitioner is directed to be released on regular bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Karnal."

In compliance of above-said order, reply by way of affidavit of Deshraj, HPS, Deputy Superintendent of Police (City), Panipat, filed today in the Court and the same is taken on record.

As per affidavit, on a complaint made by Rajni Sharma, an FIR No.565 dated 09.05.2016, under Sections 376, 506 and 120-B, at Police Station City, Panipat, has been got registered against her mother Seema. After registration of said FIR, the investigation of the case was conducted by L/ASI Gyatri Devi of Women P.S. Panipat and the complainant was taken to Civil Hospital, Panipat for medical examination but she refused from her medico-legally examination. The statement under Section 164 Cr.P.C. of complainant (Rajni Sharma) was recorded on 10.05.2016 before the Illaqa Magistrate, Panipat. During the investigation, Section 376-D IPC was deleted and Sections 376/120-B IPC were added in this case. Thereafter, the investigation was carried out by L/ASI Vaneet P.S. City, Panipat. On 23.08.2016, complainant visited in police station and moved an application for her medico-legally examination. Complainant Rajni was examined in Civil Hospital, Panipat and after getting evidence, accused Jagbir alias Jagga was arrested and was produced before the concerned

Court. Thereafter, accused Seema was also arrested on 21.09.2016 and was produced before the concerned Court. Accused Raj Kumar was granted anticipatory bail by this Court. As per enquiry conducted by the concerned police, said affidavits and published news are found true and correct.

Keeping in view the above-said detailed affidavit, facts and circumstances of the case, order dated 14.09.2016, passed by this Court whereby the regular bail was granted to the petitioner is hereby made absolute.

Accordingly, the present petition stands disposed of.

November 10, 2016
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No