

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

**Criminal Misc.No.M-44103 of 2016(O&M)
Date of Decision : 16th December, 2016**

Pawan and others

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Satbir Gill, Advocate
for the petitioners.

Mr. Surinder Singh, AAG, Haryana
for the respondent(s)-State.

Mr. P.K.Ganga, Advocate
for the complainant.

AJAY TEWARI, J. (Oral)

The petitioner has preferred this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.399 dated 15.11.2016, registered at Police Station Rania, District Sirsa, under Section 306 IPC.

As per the allegations, the niece of petitioner No.4 had lodged a sexual harassment case against the deceased and that was a false case and had been lodged to harass the deceased and to extort money from him. Fed up with the case and the social opprobrium, the deceased committed suicide.

Learned counsel for the petitioners has argued that the said girl and her mother are in custody and the allegations against the petitioners do not make out a case under Section 306 IPC.

Learned counsel for the complainant as well as learned State

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counsel state that in the suicide note, the deceased has specifically named the petitioners. Learned State counsel, on instructions from ASI Ram Niwas, has accepted that the girl is in custody.

In the circumstances and keeping in view the fact that the main accused and her mother are in jail, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners in the present case.

Ordered accordingly.

Let the petitioners appear before the concerned Investigating Officer on 24.12.2016 or on any other date on which their appearance is required by the Investigating Officer. On their appearance the Investigating Officer shall release them on bail to his/her satisfaction subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

The petition stands allowed accordingly.

(AJAY TEWARI)
JUDGE

16th December, 2016

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Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No