

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Date of Decision: 12.07.2017

CRM-M -14342-2017

Hukam Chand Bansal

.....Petitioner

Versus

State of Haryana

.....Respondent

CRM-M -17279-2017

Kamaljit Bansal

.....Petitioner

Versus

State of Haryana

.....Respondent

Coram: Hon'ble Mr. Justice Arvind Singh Sangwan

Present: Mr.S.S.Bhinder, Advocate for the petitioner (s)
Mr.Arun Kumar, Assistant Advocate General,
Haryana
Mr.S.P.S.Sidhu, Advocate and
Mr.J.S.Gill, Advocate for the complainant

Arvind Singh Sangwan, J.

This order will dispose of above mentioned two petitions i.e. CRM-M -14342-2017 and CRM-M -17279-2017 seeking anticipatory bail in FIR No.207 dated 16.3.2017 under Sections 120-B, 419, 420, 465, 468 and 471 of the Indian Penal Code, 1860 registered at Police Station Sirsa City, District Sirsa. The first petition has been filed by Hukam Chand Bansal, father-in-law of the

respondent-complainant and the second petition is filed by Kamaljit Bansal, husband of complainant-Reema Rani.

As per the averments made in the FIR registered by Bakshish Singh Thind, Advocate (Annexure P1), on 9.3.2017, some Advocates along with other persons approached him and informed that co-accused-Kamaljit Bansal had taken a decree of divorce by mutual consent from the Court of the Additional District Judge, Sirsa by producing some other lady in place of his wife. It is further averred in the FIR that he was surprised to see that Reema Rani, complainant as she was not the girl, who had accompanied Kamaljit Bansal and the girl who had met him on that day never came to his Office or appeared in the Court. It was even alleged that by way of impersonation, Kamaljit Bansal had obtained a decree of divorce against complainant-Reema Rani by producing some other lady in place of his wife.

So far as anticipatory bail application of Kamaljit Bansal, husband of Reema Rani-complainant is concerned, there are direct allegations of impersonation and his custodial interrogation is required and, therefore, I find no ground for granting anticipatory bail to Kamaljit Bansal and *CRM-M -17279-2017* is dismissed.

Learned counsel for the petitioner on behalf of Hukam Chand Bansal, submits that he is a retired Government servant and is an old man who is living separately and has no role in the alleged impersonation made by his son- Kamaljit Bansal.

Learned counsel for the petitioner contends that there is no direct allegation levelled in the FIR which is not registered by

Reem Rani and rather got registered by Bakshish Singh Thind, Advocate. It is further contended that both Kamaljit Bansal and Reema Rani are practising lawyers at District Court Bhatinda and were living independently .

A perusal of the FIR also shows that there are no direct allegation against the petitioner that he was actively involved in the proceedings under Section 13-B of the Hindu Marriage Act, 1956 initiated at the instance of accused Kamaljit Bansal or he ever visited office of Bakshish Singh Thind during the proceedings of that case.

Without commenting on the merits of the case, the petition filed on behalf of Hukam Chand Bansal is allowed and he is directed to join investigation within a period of 10 days and he shall be released on interim bail subject to the following conditions:-

1. He shall make himself available for interrogation by a police officer as and when required;
2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and
3. He shall not leave India without previous permission of the Court.

(ARVIND SINGH SANGWAN)
JUDGE

July 12, 2017
arya

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No