

Criminal Misc. No.M- 20237 of 2017 (O&M)

Date of decision : September 14, 2017

Chander Pal

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Keshav Pratap Singh, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 839 dated 22.11.2016 under Sections 306, 34 IPC registered at Police Station Sadar Palwal, District Palwal.

It is submitted that the petitioner and the complainant's daughter were married eight years prior to the incident in question. No child was born out of this wedlock due to which she used to remain under depression. The allegations in the FIR are in regard to an extra marital affair of the petitioner with one Savitri. No case whatsoever under Section 306, 107 IPC is made out against the petitioner. Moreover, the petitioner has joined investigation and undertakes to face trial. It is submitted that there is no complaint regarding any kind of harassment or ill-treatment at the hands of the petitioner during the eight years of marriage. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Rajesh

Kumar, verifies that the petitioner has joined investigation. It is further

informed that the co-accused Savitri with whom the petitioner is alleged to have illicit relations and who is also alleged to have tortured and physically abused the deceased, has been found to be innocent on investigation. It is also verified that the petitioner is not involved in any other criminal case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 01.06.2017 is made absolute.

September 14, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No