

**102+212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-27099-2017 in/and
CRM-M-28127-2017
Date of Decision : 29.08.2017

WaseemPetitioner

versus

State of HaryanaRespondent

CORAM : HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Munfaid Khan, Advocate
for the petitioner.

Mr. Ramesh Kumar, AAG, Haryana.

Mr. Saleem Ahmed, Advocate
for the complainant.

LISA GILL, JUDGE (ORAL)

CRM-27099-2017

Documents of educational qualification of the petitioner,
attached as Annexure P-6, are taken on record subject to all just exceptions.

Filing of typed copies/certified copies of the same is exempted.

Application is disposed of.

CRM-M-28127-2017

Prayer in this petition is for grant of anticipatory bail to the
petitioner in FIR No.266 dated 06.07.2017 under Sections 306 and 34 IPC
registered at Police Station Tauru, District Nuh.

It is contended that the petitioner has been falsely implicated in
this case only because of his relationship with the co-accused Dr. Tayyab
Hussain. As per the allegations in the FIR, the petitioner's father, Dr.

Tayyab Hussain kidnapped the complainant's niece i.e. the daughter of the

deceased. Two years prior to the registration of the FIR, the complainant's niece was recovered from Alwar/Rajasthan with the help of the police. FIR No.35/17 was registered at the instance of the co-accused-Dr. Tayyab Hussain against the complainant's nephew, Arshad, his niece and other relatives in an unjustified manner. Another FIR under Section 376 IPC was registered at the instance of Dr. Tayyab Hussain against another nephew of the complainant. A spate of criminal proceedings were initiated at the instance of Dr. Tayyab Hussain against the complainant side. Due to this reason, the complainant's sister used to remain upset. The co-accused in this case, Dr. Tayyab Hussain along with his sons i.e. the present petitioner and Parvez (petitioner's brother), allegedly troubled the complainant's sister after registering false cases against her and her family members. They threatened her with dire consequences in case, she did not hand over her daughter to them. The complainant's sister was present in the Court of the Sub Divisional Magistrate at Nuh on 04.04.2017 in connection with some proceedings pending there. The co-accused, present in the Court premises, again threatened the complainant's sister on the said date. It is stated in the FIR that due to pressure/threats meted out by the co-accused as well as the petitioner, the complainant's sister committed suicide after imbibing some poisonous substance.

Having heard learned counsel for the parties at length, I do not find any ground to extend the benefit of anticipatory bail to the petitioner in the factual matrix of the case. There are specific and grave allegations against the petitioner.

Contention of learned counsel for the petitioner that the

daughter of the deceased was legally married with his father is of no avail as it is not denied that the complainant's daughter is since living with the family of the complainant. Moreover, all the other co-accused are still at large. Similarly, reliance placed by learned counsel for the petitioner on the orders passed by this Court in ***Veerpal Kaur versus State of Punjab 2014 (25) R.C.R. (Criminal) 307, Baljit Singh versus State of Punjab 2016 (2) Law Herald 1194 and Rajbir Pundir versus State of Haryana 2015 (4) R.C.R. (Criminal) 250*** are of no avail to him in the given facts and circumstances of the case.

Accordingly, this petition is dismissed.

(LISA GILL)
JUDGE

29.08.2017

Neha

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No