

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-31427 of 2017
Date of Decision: 12.09.2017

Poonam and anotherPetitioners

VERSUS

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sanjiv Sheoran, Advocate
for Mr. Partap Singh, Advocate
for the petitioners.

Mr. Ashish Yadav, Addl. AG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 354 dated 06.07.2017 registered for offences punishable under Sections 323, 452, 506 read with Section 34 of Indian Penal Code (for short 'IPC'), at Police Station Sampla, District Rohtak.

Heard.

Petitioner no. 1 is the daughter of complainant. As per allegations, she alongwith petitioner no. 2, with whom she is having illicit relations, came to the house of complainant in order to compel her to transfer her property in favour of petitioner no. 1. Complainant has alleged that petitioners had kept her detained in a room at Rohtak and were giving beatings to her. They have also taken loan on her land. On 04.07.2017 both the petitioners came in a car to the house where complainant was living with her known person. They threatened complainant either to transfer her land in favour of petitioners or they will take her forcibly in their car. They also

gave beatings to her. Complainant raised *raula*, which attracted neighbourers at the spot, who got her released from petitioners.

Learned counsel for petitioners submits that matter is of family dispute. The allegation of raising of loan forcibly on the land of complainant has no basis as the process of raising of loan takes a lot of time and no complaint was made during that process by complainant.

On appraisal of facts of case, it is apparent that it is a case where mother has come up with allegations against her own daughter and has alleged that she in connivance with petitioner no. 2, with whom she is having illicit relations after the death of her husband, intends to divest her of her property. She initially kept the complainant detained in a room at Rohtak and then given beatings in order to compel her to transfer her property in the name of petitioner no. 1.

Taking note of above facts and circumstances, I do not find it to be a fit case where discretionary power of this Court can be exercised to extend the benefit of anticipatory bail to petitioners.

Dismissed.

September 12, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No