

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

CRM-M-43110-2016

Date of decision: 13.9.2017

Rahul Arora and others

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr.RK Sharma, Advocate for the petitioners

Ms.Mahima Yashpal, AAG, Haryana
assisted by ASI Reena

Mr.SK Aggarwal, Advocate for the complainant

JITENDRA CHAUHAN, J.

The present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of bail to the petitioners in case First Information Report No.64 dated 28.4.2016 registered under Sections 498A, 406, 506, 420 and 323 read with Section 34 of the Indian Penal Code at Police Station Women Sector 51, Gurgaon.

It is contended that petitioner Nos. 2 and 3 are the parents-in-law of the complainant, who had been residing separately from the complainant and her husband- petitioner No.1, who started living in Delhi and thereafter shifted to Gurgaon. The petitioner

No.1, husband of the complainant suffered brain hemorrhage as

could not take up the pressure of registration of the present First Information Report and is still under treatment. They have complied with all the conditions of Memorandum of Understanding (MoU) executed between them.

On the other hand, learned counsel for the State and learned counsel for the complainant submit that the petitioners did not honour the MoU and till date, they did not transfer the land in the name of the minor son of petitioner No.1 and the complainant.

Heard.

Perusal of the order dated 22.11.2016, passed by learned Additional Sessions Judge, Gurgaon, reveals that the petitioners had sought many adjournments on the pretext to comply with the said MoU but when the MoU was not honoured, their pre-arrest bail petition was dismissed. Before this Court also, on the statement of the learned counsel for the petitioners that they will abide by all the conditions and will transfer the land in the name of the minor son of the complainant and petitioner No.1, interim anticipatory bail was granted to them vide order dated 6.12.2016. But till date, they have not complied with the said order and time and again changed their stance, therefore, the Court feels that the statement made before this Court lacked bona fide and was made to gain time and mislead the Court.

Considering the nature of allegations and the fact that

the they have scant regard to the order of the Court, this Court is not inclined to grant concession of anticipatory bail to them.

Dismissed.

However, anything stated hereinabove shall have no bearing on the merits of the case.

13.9.2017
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?	Yes	/	No
Whether reportable?	Yes	/	No