

Criminal Misc. M- No. 46638 of 2016 (O&M)

Date of decision : March 29, 2017

Dalbir @ Tindu and another

.....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Pawan Kumar Hooda, Advocate
for the petitioners.

Mr. Anmol Malik, AAG, Haryana.

Mr. Raj Kapoor Malik, Advocate
for respondent No. 2.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioners in FIR No. 198 dated 01.11.2016 registered under Sections 354A, 406, 498A, 506 IPC at Police Station Sadar Kaithal, District Kaithal.

The petitioners are the parents-in-law of respondent No. 2/complainant. It is submitted that the matter had earlier been resolved amicably. The petitioners' son and respondent No. 2 had decided to part ways. A petition under Section 13-B of the Hindu Marriage Act, 1955 ('the Act' – for short) was preferred. The entire amount due towards respondent No. 2 was handed over to her. Reference is made to the statement of respondent No. 2 suffered by her on 06.08.2015 (Annexure P-2) in the proceedings under Section 13-B of the Act. The settlement had, however, fallen through. It is submitted by learned counsel for the petitioners that it is

respondent No. 2, who had wanted some more amount, whereas learned counsel for respondent No. 2 has vehemently disputed this averment while submitting that it was the petitioners' son who did not come forth for recording his statement at second motion neither was the entire amount, as agreed upon, was paid. It is submitted that specific averment in this respect has been made in the FIR itself. There is no receipt whatsoever, which would show the payment of the said amount.

Be that as it may, learned counsel for the State, on instructions from ASI Ram Kumar, submits that the petitioners have joined investigation pursuant to interim order dated 27.12.2016 passed by this Court. It is further submitted that the final report under Section 173 Cr.P.C. has since been submitted on 06.02.2017. No recovery is to be effected from the petitioners. The co-accused i.e. the husband of respondent No. 2 has been released on regular bail by the learned trial Court.

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 27.12.2016 is made absolute.

March 29, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No