

Criminal Misc. No. M- 47222 of 2017 (O&M)

Date of decision : December 19, 2017

Pardeep

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. P.K. Hooda, 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. 1116 dated 24.10.2017 under Sections 376, 506 IPC registered at Police Station City Panipat, District Panipat.

It is submitted that the petitioner has been falsely implicated in this case, due to matrimonial dispute of the petitioner's real sister with her husband namely Kuldeep. FIR No. 0193 dated 19.04.2016 was registered against the petitioner's brother-in-law Kuldeep and four other persons. The petitioner's brother-in-law, it is submitted, threatened the present petitioner and his sister to withdraw the allegations in the said FIR and when they refused to do so, he threatened the petitioner with dire consequences. Thereafter, the present FIR was registered at the instance of the complainant with whom the said Kuldeep is in constant touch. It is further submitted that a bare perusal of the FIR itself reveals the falsity of the allegations. No offence under Section 376 IPC is made out. It is, thus, prayed that this petition be allowed.

I have heard learned counsel for the parties.

Learned counsel for the State, on instructions from SI Gaytri Devi affirms that FIR No. 0193 dated 19.04.2016 has been registered against the petitioner's brother-in-law Kuldeep. It is further verified, on instructions from SI Gaytri Devi, that the call detail records of Kuldeep and the complainant in the instant case reveal that they are in touch with each other. The petitioner is not reported to be 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. The petitioner shall appear before the Investigating Officer on 22.12.2017 at 11.00 a.m. and thereafter, as and when directed by the Investigating Agency. He shall fully cooperate in the investigation of this case. In the event of his arrest, petitioner shall be released on bail to the satisfaction of Investigating Officer/ Arresting officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C.

December 19, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No