

Criminal Misc. No. M- 41654 of 2017 (O&M)

Date of decision : February 05, 2018

Gulnaz @ Gullo and another

.....Petitioners

Versus

State of Haryana

....Respondent

Criminal Misc. No. M- 46259 of 2017 (O&M)

Matloob

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Anshul Mangla, Advocate for the petitioners.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

This order shall decide Criminal Misc. Nos. M- 41654 and 46259 of 2017.

Prayer in these petitions is for grant of anticipatory bail to the petitioners in FIR No. 0598 dated 12.10.2017 under Sections 120B, 342, 363, 366, 376, 506 IPC registered at Police Station City Yamuna Nagar, District Yamuna Nagar.

It is submitted that no allegations attracting the rigors of the offences punishable under Sections 120B, 342, 363, 366, 376, 506 IPC are made out against the present petitioners. The complainant, admittedly a major, had friendly relations with co-accused Wasim. Co-accused Wasim, Ashraf and Mustkin are in custody. As per the allegations in the FIR, the present petitioners are alleged to have kept the complainant confined in a house and forced her to sign certain papers in order to get her married forcibly to Ashraf. Petitioner - Nazira, it is submitted, is related to the co-

accused Ashraf, being the wife of the elder brother of Ashraf and has been falsely implicated due to this reason. None of the petitioners, it is submitted, have anything to do with the controversy in hand. Moreover, they have joined investigation pursuant to interim orders passed by this Court. It is, thus, prayed that these petitions be allowed.

Learned counsel for the State, on instructions from ASI Amrik Singh, verifies that the petitioners have joined investigation and their custodial interrogation is not required. The petitioners are not reported to be involved in any other criminal case. It is further verified that the three co-accused Ashraf, Wasim and Mustkin are in custody. Learned counsel for the State is unable to deny that the allegations against the present petitioners are of illegal confinement of the complainant and forcing her to sign certain papers.

There are no allegations on behalf of the State that the petitioners are likely to abscond or that they are 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 these petitions. Consequently, orders dated 14.12.2017 (in CRM-M-41654-2017) and dated 05.12.2017 (in CRM-M-46259-2017) are made absolute.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and are solely confined for the purpose of decision of this petition.

February 05, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No