

Criminal Misc. No. M- 9628 of 2017 (O&M)

Date of decision : February 08, 2018

Rajender Parshad

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. M.K. Sood, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

Mr. S.K. Tripathi, Advocate
for the complainant.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.41 dated 07.03.2017 under Sections 354B, 506 IPC registered at Police Station Women, Sector 16, Faridabad.

It is submitted that the petitioner, who is the father-in-law of the complainant, has been falsely implicated in this case due to the matrimonial dispute between the petitioner's son and the complainant. Petition under Section 13 of Hindu Marriage Act, 1955 has been filed by the petitioner's son. It is further submitted that three children born out of the wedlock of the petitioner's son and daughter-in-law are being maintained by the petitioner and his family. Subsequent to the present FIR, the complainant lodged FIR No. 264 dated 27.03.2014 under Sections 323, 506, 34 IPC, wherein it is alleged that injuries were caused to her by her husband, mother-in-law, sister-in-law and brother-in-law. All the said accused are on bail. Moreover, the petitioner has joined investigation and

undertakes to face the proceedings. It is, thus, prayed that this petition be allowed.

Learned counsel for the complainant has opposed this petition but it is not denied that there is indeed a matrimonial discord between the complainant and her husband. Registration of the subsequent FIR is a matter of record. In her statement under Section 161 Cr.P.C. in FIR No. 264, the complainant has levelled allegations against her husband, mother-in-law, brother-in-law and sister-in-law. It is further confirmed that all three children are being maintained by the petitioner and his family.

Learned counsel for the State, on instructions from SI Resha Devi, verifies that the petitioner has joined investigation. His custodial interrogation is not required.

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. Consequently, order dated 21.03.2017 is 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 08, 2018
rts

(Lisa Gill)
Judge

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