

Criminal Misc. No. M- 8637 of 2018 (O&M)

Date of decision : May 08, 2018

Sanjay Kumar

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Balraj Gujjar, Advocate
for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 52 dated 25.01.2018 under Sections 498A, 323, 354A (2), 377, 34 IPC registered at Police Station City Bhiwani.

Contentions on behalf of the petitioner, while issuing notice of motion, read as under:-

“ The petitioner, it is submitted, is the uncle (Chacha) of the complainant's husband. He has been falsely implicated for the reason that he is a government employee. Absolutely false allegations have been levelled against the petitioner. The petitioner is living separately from the complainant and her husband and has nothing to do with the matrimonial discord between them.”

Learned counsel for the petitioner submits that the petitioner has joined investigation pursuant to interim order passed by this Court. Final report under Section 173 Cr.P.C. has been presented. The petitioner undertakes to face the proceedings and not abuse the concession of anticipatory bail, if confirmed. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from HC Praveen Kumar, verifies that the petitioner has joined investigation. Final report under Section 173 Cr.P.C. has since been presented. The petitioner is not 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. Consequently, order dated 28.02.2018 is made absolute.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

May 08, 2018

rts

(Lisa Gill)
Judge

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