

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-13766 of 2019

Date of Decision: April 03, 2019

Mahender Singh

.....Petitioner

Versus

The State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Govind Chauhan, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

FATEH DEEP SINGH, J. (Oral)

This first regular bail application under Section 439 Cr.P.C. moved by accused petitioner/father-in-law/Mahender Singh has come upon in FIR No. 1154 dated 12.10.2018 under Sections 323, 498-A, 506 and 34 IPC and Section 3(2) (Va) of SC/ST Act, 1889 registered at Police Station, Karnal got registered by the complainant/daughter-in-law-Kajal.

In brief, the allegations levelled by the complainant are that the present petitioner is a drunkard and often misbehaved with her

in an obscene and vulgar manner, especially, when the husband of the complainant is away. His conduct towards her is highly inappropriate. The complainant claims that she has brought this fact to the notice of her husband and no action was taken thereon by the family and even her mother-in-law termed her pregnancy to be illegitimate one. The petitioner was arrested on 22.12.2018.

Mr. Govind Chauhan, learned counsel for the petitioner *interalia* argues that the petitioner is behind the bars for almost 3 ½ months and the husband co-accused Manjeet Singh has been allowed regular bail by this Court vide order dated 01.02.2019 Annexure P-1.

Mr. Amrik Narwal, DAG, Haryana on instructions from ASI Vijay Kumar accepts the fact that have been highlighted in the submissions of the counsel for the petitioner but has opposed the grant of the relief on the grounds that there is every likelihood that the petitioner might influence the investigations and the trial.

Going through the submissions the, principal accused Manjeet Singh husband of the complainant has been allowed regular bail by this Court. The father-in-law/petitioner is behind the bars and that culpability if any shall be determined at the trial coupled with the fact principle of parity and that no useful purpose will be served by keeping the accused behind the bars, this Court is of the opinion that it is a fit case for grant of bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial

Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off.

April 03, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No