

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.36794 of 2018 (O&M)

Date of decision: 17th January, 2019

Balbir & others

... Petitioners

Versus

State of Haryana & another

... Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Ramnish Puri, Advocate for the petitioners.

Mr. Baljinder S. Virk, Dy. Advocate General, Haryana
for the respondent No.1/State.

None for respondent No.2.

FATEH DEEP SINGH, J. (ORAL)

This order shall dispose off first anticipatory bail application filed under Section 438 Cr.P.C. by accused petitioners Balbir father-in-law, Smt.Phoolpati mother-in-law and Parveen brother-in-law (being brother of the husband) of the complainant in case bearing FIR No.569 dated 14.07.2018 pertaining to Police Station City Sonipat under Sections 328, 342, 506, 498-A IPC.

In her allegations, the complainant stated that her marriage took place with Dharminder in the month of May 2008 and on which occasion, sufficient dowry articles were given. It is alleged that the accused petitioners used to harass and humiliate her on account of dispute in the family and she was administered some poisonous substance on 13.07.2018 and thus was hospitalized leading to registration of the present case.

Learned counsel for the petitioner Mr. Ramnish Puri, Advocate submits that offence under Section 328 IPC has since been deleted and the parties have effected a compromise whereby the complainant wife has started living with her husband.

Learned State counsel Mr. Baljinder Singh Virk, Dy. Advocate General, Haryana on instructions from SI Naresh Kumar, Police Station City Sonipat, does not dispute this factual scenario put forth by the petitioners side by their counsel Mr.Puri. It has been further stated by the learned State counsel that as a consequence of compromise arrived at between the accused side and the complainant, they have prepared cancellation report and do not oppose grant of bail.

In the light of this stand of the State and the circumstances together with the earlier orders whereby arrest of the petitioners was stayed by this Court, it is a fit case to allow anticipatory bail. Accordingly, in the event of arrest, petitioners are ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (challan). However, they shall continue to join investigation and shall furnish an undertaking that they shall abide by the conditions specified under Section 438 (2) Cr.P.C. Thereafter, the petitioners will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

January 17, 2019

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No