

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

CRM-M-38301-2018 (O&M)
Date of Decision:- 3.9.2019

Satyanarayan ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Yashwant Singh Rathore, Advocate for the petitioner.

Mr. Ashok Singh Choudhary, Addl. AAG, Haryana

Mr. Mayank Sharma, Advocate for the complainant.

GURVINDER SINGH GILL, J.

1. The petitioner Satyanarayan has approached this Court seeking grant of anticipatory bail in a case registered against him vide FIR No.55 dated 8.8.2018 under Sections 498A, 420, 506, 509 and 120-B IPC at Police Station Women, District Kurukshetra.
2. The FIR was registered at the instance of Parveen Kumar Harit wherein it has been alleged that her niece Aarti Sharma i.e. daughter of complainant's widowed sister Usha Sharma was married to Amar Gautam on 27.11.2004 wherein dowry had been given to Amar Gautam as well as to other members of his family including his parents i.e. Satyanarayan and Vimla Gautam, sister and brother-in-law, beyond their means. However, Aarti Sharma's husband and other accused were not satisfied with the dowry and started demanding a car on account of which they used to physically and mentally

harass Aarti Sharma. Later, when Aarti Sharma was pregnant, then the complainant's brother-in-law gave a Santro Car to accused after raising a loan and the said car was registered in the name of Aarti Sharma. It is further alleged that the accused started harassing the complainant's niece and her mother to an extent that the complainant's niece and her mother Usha Sharma thought of committing suicide and jumped into Sukhna Lake, Chandigarh. While the complainant's sister Usha Sharma died, the complainant's niece Aarti Sharma was saved by the police officials present at the lake.

3. The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case on account of their having been some matrimonial incompatibility between the petitioner's son and his wife Aarti Sharma due to which the entire family of Aarti Sharma's husband had been involved.
4. Opposing the petition, the learned State counsel has submitted that since the petitioner has specifically named in the FIR and there are specific allegations against the accused, no case for grant of anticipatory bail is made out more particularly, in view of the fact that the allegations in the FIR regarding harassment stands substantiated from the fact that mother of the victim committed suicide and even the victim made a vain attempt to end her life by jumping into Sukhna Lake.
5. I have considered rival submissions addressed before this Court. Although, the allegations as levelled in the FIR cannot be said to be absolutely baseless, at this stage, but the fact that remains that in the present case

challan has already been presented. As such, at this stage, it is not a case for custodial interrogation of the petitioner, who is father-in-law of the victim.

6. The petition, as such, is accepted and the interim directions issued vide order dated 4.9.2018 are hereby made absolute subject to the condition that the petitioner shall appear before the trial Court regularly and shall abide by any such condition as may be imposed by the trial Court.
7. It is, however, made clear that none of the observations made above shall be taken to be an expression on merits of the main case.

3.9.2019

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No