

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

CRM M-41794-2018 (O&M)

Date of Decision : 24.01.2019

Manga Ram and another

..... Petitioners

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present : Mr. Satnam Sishodia, Advocate
for the petitioners.

Mr. Arjun Singh Yadav, AAG, Haryana.

RAJ SHEKHAR ATTRI, J. (Oral)

The petitioners have preferred the instant petition under Section 438 Cr.P.C., for grant of pre-arrest bail in case FIR No.305 dated 31.08.2018, registered under Sections 323, 354-B, 506 and 34 IPC, at Police Station Madhuban, District Karnal.

The allegations against the petitioners are that they have beaten up their respective wives mercilessly. Although the injuries have been mentioned as simple but there is no reason for their beating.

On the asking of the court, learned counsel for the petitioner has submitted that the petitioners are willing to pay Rs.25,000/- to Smt. Manju and the equal amount to Smt. Ginni as compensation as they were badly injured.

Learned State counsel has stated that the petitioners have joined the investigation; nothing is to be recovered from them and they are no more required for custodial interrogation.

In the circumstances, without going into the merits of the case,

I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case.

Resultantly, the interim order dated 11.10.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C and also subject to the conditions that the petitioners shall deposit Rs.25,000/- by way of demand draft in the name of Smt. Manju and also deposit the equal amount by way of demand draft in the name of Smt. Ginni before the Illaqa Magistrate, who will hand over the same to Smt. Manju and Smt. Ginni against proper receipt and identification. This shall be without any prejudice to the rights of the parties to the litigation.

However, in case the petitioners have been acquitted then the said amount shall be treated as maintenance.

The instant petition stands allowed accordingly.

(RAJ SHEKHAR ATTRI)
JUDGE

24.01.2019
mamta

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No