

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

(I)

CRM-M-64804-2018

Date of Decision: 28.11.2019

SAVITRI DEVI

.....Petitioner

Versus

STATE OF HARYANA

.....Respondent

(II)

CRM-M-391-2019

SUMIT KHARAB

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Ashit Malik, Advocate
for the petitioner in both the petitions.

Ms. Aditi Girdhar, AAG, Haryana
assisted by ASI Ramesh Kumar.

GURVINDER SINGH GILL, J. (ORAL)

1. This order shall dispose of the aforementioned petitions filed on behalf of Savitri Devi and Sumit Kharab seeking anticipatory bail in respect of FIR registered against them vide FIR No.876 dated 4.11.2018 under Sections 323, 498-A, 377, 406, 506 read with Section 34 IPC, Police Station City Sonapat, District Sonapat.

2. The FIR was lodged at the instance of Bhupinder Singh wherein it has been alleged that his daughter Manisha was married to petitioner Sumit Kharab on 30.6.2017 and although he had incurred expenditure beyond his capacity on the marriage and also given gifts including gold ornaments to her daughter's husband and other members of his family but they were not satisfied with the same. It is alleged that shortly after marriage the petitioners i.e. husband and mother-in-law of complainant's daughter as well as other members of his family started pressurizing the complainant's daughter for bringing a car and some amount and also manhandled her. It is further alleged that the petitioner-Sumit Kharab even established unnatural physical relations with her.
3. Learned counsel for the petitioners has submitted that a false FIR has been lodged at the instance of complainant mainly on account of the fact that the marriage of the complainant's daughter did not work out well and there was some matrimonial discord. Learned counsel for the petitioners has further submitted that all the allegations levelled in the FIR with regard to demand of car etc. have all been cooked up simply to harass the petitioners.
4. Opposing the petition, learned State counsel has submitted that since the petitioners being husband and mother-in-law of prime accused and are specifically named in the FIR, no case for grant of anticipatory bail is made out. It has however been informed that the petitioners have since joined investigation, although some articles of dowry are yet to be recovered.

5. I have considered rival submissions addressed before this Court. Apparently, it is a case which had arisen out of some matrimonial discord. The petitioners in any case are stated to have joined investigation. In these circumstances, it is not a case which would warrant custodial interrogation. The petitions, as such are accepted and interim directions issued vide order dated 8.1.2019 passed in CRM-M-64804-2018 and order dated 9.1.2019 passed in CRM-M-391-2019 are made absolute subject to the condition that the petitioners would appear before Investigating Officer as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

28.11.2019
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No