

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-48213-2018 (O&M)
Date of Decision:- 10.9.2019

Ram Bhawan Sharma and another ... Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Nakul Sharma, Advocate, for the petitioners.

Mr. Ashok Singh Choudhary, Addl. A.G. Haryana.

Mr. Sandeep Malik, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking grant of anticipatory bail in respect of FIR No. 474, dated 5.10.2018, registered at Police Station Sector 14, Gurugram, under Sections 304-B, 498-A, 34 IPC.
2. The FIR came to be lodged at the instance of Bhawani Shankar wherein it has been alleged that marriage of his daughter Akansha Sharma was solemnized with Abhishek Bhardwaj on 3.12.2017 and that a large number of articles of dowry including gold ornaments were given at the time of marriage to his son-in-law and other members of his family but somehow they were not happy with the

same and started harassing his daughter shortly after marriage and started demanding more dowry in the shape of cash and car. It is alleged that on 29.7.2018 Ram Bhawan Sharma (petitioner No.1) informed complainant's son telephonically that the complainant's daughter had died. It is the case of prosecution that the deceased was found hanging from a fan in her matrimonial home.

3. Learned counsel for the petitioners has submitted that the petitioners are the parents-in-law and have been falsely implicated in the present case and the falsity would be evident from the fact that in the first version given by the complainant in his application dated 28.8.2018 (Annexure P-4) he did not express any suspicion either on his son-in-law or on other members of his family. It has been submitted that in case the petitioners and their son had indeed been harassing the complainant's daughter then surely the said fact could have been mentioned in application dated 28.8.2018. It has further been submitted that the petitioners in any case deserve the concession of bail on parity also since the husband of the deceased i.e. Abhishek Bhardwaj has already been granted regular bail by this Court.
4. Opposing the petition, learned State counsel assisted by learned counsel for the complainant, has submitted that since the petitioners are specifically named in the FIR, no case for grant of bail is made out. It has further been submitted that the petitioners cannot claim any parity on the basis of order dated 23.5.2019 in respect of co-accused Abhishek Bhardwaj as he was released on regular bail whereas the petitioners seek grant of anticipatory bail. It has

however, been informed that charges have already been framed and as many as 8 PWs out of the cited 16 PWs have already been examined.

5. Having considered rival submissions addressed before this Court and while bearing in mind the fact that investigation has already concluded and in fact after framing of charges 8 PWs have already been examined, in my opinion it is not a case warranting custodial interrogation. The petition, as such, is accepted and interim directions issued vide order dated 31.10.2018 are made absolute subject to the condition that the petitioners would appear before the Trial Court regularly and abide by any condition, as may be imposed by the learned Trial Court.
6. The present petition stands accepted accordingly.

September 10, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No