

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-29473 of 2019
Date of Decision: 13.12.2019

Rohit Sharma

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gursewak Singh, Advocate
for Mr. Manish Soni, Advocate
for the petitioner.

Mr. Kuldeep Sharma, DAG, Haryana

Mr. Virendra Rana, Advocate
for Mr. Abhimanyu Singh, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.249 dated 23.06.2019 registered for offences punishable under Sections 323 and 506 of Indian Penal Code, at Police Station Sector 5, Gurugram, District Gurugram.

Heard.

As per report of Mediator, parties could not reach any amicable settlement.

The petitioner is husband of complainant, who in her statement before the police has alleged that on 22.06.2019, she had gone to her house to see her child. At about 10.00 p.m., her maternal grandmother-in-law fled away with her child and her husband started quarreling with her. He gave her beatings in the morning and threw her outside the house.

Learn State counsel submits that in the medical examination of complainant, injuries were found on her cheek, neck and ear. However, the offence made out is under Section 323 IPC. There is matrimonial dispute between the parties and other cases between them are also pending.

Without expressing any opinion on merits of the case and keeping in view the fact that investigation in the case is still pending, this petition is allowed. Petitioner is directed to surrender before the police and join investigation within two weeks. In the event of his arrest being required, he shall be released on bail, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of anticipatory bail allowed to him.

December 13, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No