

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

CRM-M-37309-2019 (O&M)
Date of Decision:- 28.11.2019

Mahesh Yadav ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.P.Sharma, Advocate, for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana,
assisted by ASI Sanju.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Mahesh Yadav, seeks grant of anticipatory bail in a case registered vide FIR No.101, dated 16.8.2019, registered at Police Station Women, Narnaul, District Mahendergarh, under Sections 323, 354-A, 377, 498-A, 506 IPC.
2. The FIR was lodged at the instance of Mrs. Anita Yadav i.e. wife of the petitioner wherein it has been alleged that her husband is posted

in CRPF and whenever he comes home on leave then he after consuming liquor uses abusive language and gives beating to her and also indulges in unnatural sex with her. It is further alleged that even her father-in-law used filthy language and kept an evil eye on her. The complainant has even alleged that her sister-in-law who is posted in Delhi Police also stated that the complainant was liable to be beaten.

3. Learned counsel for the petitioner has submitted that the FIR is an outcome of matrimonial discord wherein all kind of allegations have been cooked up not only against the petitioner but even against his father and other members of his family.
4. Opposing the petition, learned State counsel has submitted that since specific allegations have been levelled in the FIR pertaining to the petitioner having given beatings to the complainant under influence of liquor and having indulged in unnatural sex, no case for grant of bail is made out. It has however been informed that the petitioner has since joined investigation.
5. Having considered rival submissions addressed before this Court and bearing in mind that it is a matter which has apparently arisen out of the matrimonial discord wherein the petitioner is already stated to have joined investigation, custodial interrogation to my mind is not warranted. The petition, as such, is accepted and interim directions issued vide order dated 5.9.2019 are made absolute subject to the condition that the petitioner shall appear and join the investigation as and when called upon to do so and cooperate with the Investigating

Officer and shall abide by the conditions as provided under Section
438 (2) Cr.P.C.

November 28, 2019

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No