

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4937-2020 (O&M)
Date of decision: 07.02.2020

Mufeed @ Kala

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Farukh Abdullah, Advocate
for the petitioner.

Mr. Deepak Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.373 dated 03.10.2019 under Sections 365/34 IPC, registered at Police Station Punhana, District Nuh.

Learned counsel for the petitioner submits that the FIR has been registered by one Ajvar Ali, who is father-in-law of real sister of the petitioner. It is further submitted that much prior to registration of the FIR, there was a matrimonial dispute between sister of the petitioner and her husband and in this regard, two cases; one under D.V. Act and another under Section 498-A IPC were registered by sister of the petitioner and the same are pending. It is also submitted that the complainant first tried to put pressure on the petitioner and her sister to withdraw those cases and they were threatened that in case, they do not withdraw the said cases, they will be involved in some FIR.

Learned counsel for the petitioner further submits that present FIR has been registered with the allegations that on 27.09.2019, Afzal was kidnapped by 10 persons including the petitioner. It is further submitted that the FIR was registered on 03.10.2019, without explaining the delay and on the face of it, it is a counter-blast to the matrimonial litigation initiated by sister of the petitioner. It is next submitted that the petitioner is first offender; he is not involved in any other case and is no more required for further investigation.

Learned State counsel, on instructions from ASI Raj Pal, has not disputed the fact that there is a matrimonial dispute between two families.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

07.02.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No