

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

(Proceedings conducted through video Conference)

211

CRM-M-16231-2020 (O&M)

Date of decision: 08.07.2020

RAM MEHAR

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. KK Saini, Advocate for the petitioner.

REKHA MITTAL, J. (Oral)

Ram Mehar accused in FIR No.417 dated 01.12.2019 registered at Police Station Sadar Narwana, District Jind for offence punishable under Sections 376(2)(n), 323 and 506 IPC prays for grant of regular bail, pending trial.

Heard.

Notice of motion to the Advocate General, Haryana.

Ms. Dimple Jain, AAG, Haryana, appears on behalf of State of Haryana.

Counsel for the petitioner would argue that as per allegations, the petitioner tortured her for 10-12 years but she never made a complaint. It is further argued that Manisha daughter of complainant solemnized marriage with the petitioner against wishes of the complainant and her family members and present FIR has been lodged to express grievance against marriage of Manisha with the petitioner. It is further argued that Manisha and petitioner filed CWP No.26116 of 2019 seeking protection to their life and liberty in which order dated 16.09.2019 (Annexure P1) was passed by this Court directing SHO Police Station Sadar Narwana to verify the contents of representation, if any filed and take requisite steps strictly in accordance with law. It is further argued that on due investigation of FIR, challan has been presented in the Court and petitioner is ready to face proceedings without default.

Counsel for the State of Haryana has not disputed correctness of actual submissions. However, she has opposed the bail application.

Concededly, the complainant is a married lady aged about 45/50 years. She is 'Bhabi' of the petitioner. Counsel for the State, in response to a query, would fairly concede that Manisha has never come forward to level any allegations against the petitioner with regard to physical assault or molestation. The petitioner is no longer required for the purpose of investigation. There is no allegation that petitioner is likely to flee from process of justice in case enlarged on bail.

Without meaning to express any opinion on merits of the case, bail to the petitioner subject to his furnishing bail bonds to the satisfaction of trial Court/Additional Sessions Judge (on duty), Jind. However, he shall abide by the following conditions:-

(i)He shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and

(ii)He shall not leave India without previous permission of the Court.

Disposed of.

08.07.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No