

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-17577-2020 (O&M)

Date of decision: 29.09.2020

Inder Pal Nagpal and another

...Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Davinder Kumar, Advocate,
for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioners seek anticipatory bail in case FIR No.149 dated 29.02.2020 registered under Sections 323, 34, 354, 377, 406, 498-A and 506 of Indian Penal Code, 1860 and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (later on Section 354 IPC was deleted) at Police Station Yamuna Nagar City, District Yamuna Nagar.

On 27.07.2020, this Court passed the following order :-

“CRM-17301-2020

Case is being taken up for hearing through video conferencing.

This is an application under Section 482 Cr.P.C. for placing on record Annexures P-4 to P-6, in view of the order dated 10.7.2020 passed by this Court.

The application is allowed as prayed for. Annexures P-4 to P-6 are taken on record.

CRM-M-17577-2020

This is a petition under Section 438 Cr.P.C. read with Section 482 Cr.P.C. for grant of anticipatory bail in case FIR No. 149 dated 29.2.2020 under Sections 323, 34, 354, 377, 406, 498-A, 506 IPC and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (later on Section 354 IPC was deleted), registered at Police Station Yamuna Nagar City, District Yamuna Nagar.

The petitioners are the father-in-law and mother-in-law of complainant Reshma Nagpal who was married to Lalit Nagpal, son of the petitioners, on 20.8.2016 and it was a love marriage and out of the said wedlock, a girl child was born on 21.10.2017.

Learned counsel for the petitioners states that at one stage there was an amicable settlement between the complainant and her husband and they have filed a petition under Section 13-B of the Hindu Marriage Act, 1955 seeking dissolution of their marriage on 30.8.2018 and at the first motion statement, the complainant gave her consent on the basis of compromise but on 07.3.2019 when the case was fixed for recording the joint statement of the parties on second motion, the complainant had withdrawn her consent.

Notice of motion.

On the asking of the Court, Mr. Apoorv Garg, DAG, Haryana accepts notice on behalf of the State. He has pointed out that in the present case, allegations under Section 3 of the SC and ST Act have also been levelled against the petitioners.

The petitioners are the father-in-law and mother-in-law of the complainant and it was a love marriage between the complainant and the son of the petitioners and at one stage, there was a compromise between the parties.

Keeping in view the above, interim bail is granted to the petitioners. The petitioners are directed to join the investigation and if they are sought to be arrested, they shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) of the Code of Criminal Procedure.

Adjourned to 29.9.2020.”

Learned counsel for the petitioners states that pursuant to the order dated 27.07.2020 passed by this Court, the petitioners have joined the investigation.

Learned State counsel on instructions from DSP Subhash Chand states that the petitioners have joined the investigation and they are no more required for any further investigation.

I have heard the learned counsel for the parties.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 27.07.2020 granting interim bail to the petitioners is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

29.09.2020

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Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No