

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

**CRM-M-9568-2020 (O&M)**

(1) Rekha Tikia ... Petitioner

## Versus

State of Haryana ... Respondent

(2) CRM-M-33963-2020 (O&M)

Hem Raj Mangla ... Petitioner

## Versus

State of Haryana and another ... Respondents

Date of Decision:-2.7.2021

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- None for the petitioner  
in CRM-M-9568-2020.

Ms. Jasneet Mehra, Advocate for the petitioner  
in CRM-M-33963-2020.

Mr. Vishal Kashyap, AAG Haryana  
assisted by ASI Dharambir.

Mr. Rakesh Kumar Sharma, Advocate for the complainant.

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**GURVINDER SINGH GILL, J. (Oral)**

1. This order shall dispose off the above mentioned two petitions filed on behalf of Rekha Tikia and Hem Raj Mangla seeking grant of anticipatory bail in a case registered vide FIR No.113 dated 17.2.2020 under Sections 420/467/468/471 IPC at Police Station Ballabgarh City, District Faridabad.

2. The FIR in question was lodged at the instance of Smt. Jyoti Mangla wherein it is alleged that her marriage was solemnized in the year 2001 with Hem Raj Mangla and two children were born out of the wedlock. However, since her husband had been quarreling with her, he had been residing separately since the last about 5 years while the children were residing with her and that her mother-in-law was also residing with her. It is alleged that in the year 2013, Rekha Tikia came to their house and proclaimed that she is wife of Hem Raj Mangla. Although, the complainant tried to reason out with her and told her that infact it is the complainant, who is the legally wedded wife of Hem Raj Mangla but to no avail. Rekha Tikia also showed a ration card wherein her address was mentioned as House No.3814, Sector 3, Ballabhgarh. Subsequently, the complainant sought information under RTI from the office of Food and Supply Department, Faridabad and upon receipt of requisite information, it surfaced that no such ration card had ever been issued by the department. The complainant also came to know that the petitioner had also prepared bogus driving licence and PAN Card on the basis of the bogus ration card and had also opened a bank account while misusing the name of her husband. Although, the complainant made a complaint to the police but no action was taken in this regard. It is further alleged therein that on 25.12.2019, the aforesaid Rekha Tikia came to the house of the complainant and proclaimed that the said house belonged to her and asked the complainant to vacate the premises and also showed a copy of 'Agreement to Sell' in respect of the house in question.
3. The learned counsel for the petitioner – Hem Raj Mangla has submitted that in fact it is a case of matrimonial discord amongst the complainant and her

husband and that even the allegations in the FIR would show that the complainant is mainly aggrieved on account of her husband's affair with Rekha Tikia.

4. Opposing the petitions, the learned State counsel assisted by counsel for the complainant has submitted that since serious allegations have been levelled against the petitioner Rekha Tikia and infact during the course of investigation, it was found that Hem Raj Mangla was also hand-in-glove with Smt. Rekha Tikia and they were both trying to deprive the complainant of her legitimate dues and of her shares in the property, no case for grant of anticipatory bail is made out. The learned counsel for the complainant further stated that the petitioner, after grant of anticipatory bail, have been misusing the bail and have been threatening her. The learned State counsel has, however, informed that pursuant to interim directions issued by this Court, the petitioners have joined investigation and are not required for any custodial interrogation.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case and the nature of allegations and while also noticing that pursuant to interim directions, the petitioners have since joined investigation and are not required for any custodial interrogation, both the petitions are hereby accepted and the interim directions issued by this Court vide orders dated 22.10.2020 and 4.3.2020 are hereby made absolute, subject to the condition that the petitioners shall join investigation as and when called upon to do so and

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

7. It is, however, clarified that in case the petitioners misused the concession of bail, it shall be open to the State/complainant to move an application for cancellation of their bail.

**2.7.2021**

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**(Gurvinder Singh Gill)**  
**Judge**

Whether speaking /reasoned  
Whether Reportable

Yes / No  
Yes / No