

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

CRM-M No.24274 of 2021 (O&M)

Date of Decision:16.07.2021

(Heard through VC)

Avleen

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G.C. Shahpuri, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

Mr. Namit Khurana, Advocate
for the complainant.

JAISHREE THAKUR, J. (ORAL)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.91 dated 05.05.2021 registered under Sections 323, 354, 498-A, 506 IPC and Section 4 of Muslim Women (Protection of Right on Marriage) Act, 2019 (Sections 376, 377, 511 IPC added later on) at Police Station Buria, District Yamuna Nagar.

Counsel for the petitioner would contend that the petitioner has been implicated in the said case with an ulterior motive and that there is no medical evidence on record that would establish the fact that the complainant had received injuries. It is also argued that the marriage was solemnized 10 years ago out of which three children have been born. It is also argued that no complaints had been made during the pendency of the marriage.

Notice had been issued in the said petition and a reply has been

filed by the counsel for the respondent-State and the same is taken on record.

Learned counsel for the respondent-State would submit that statement of the prosecutrix has been recorded wherein categorically it has been said the petitioner herein had uttered the word *talak* thrice on account of which Section 4 of Muslim Women (Protection of Right on Marriage) Act, 2019 has been invoked. It is also submitted that statement has also been made regarding the complainant being subjected to beating as per the reply filed. It is contended that panchayats have been convened but despite that she was subjected to physical abuse. Learned State counsel would also rely upon the MLR and photographs in respect of injuries inflicted upon the complainant.

I have heard counsel for the parties and keeping in view the allegations that have been made against the petitioner, this Court does not find any ground for allowing anticipatory bail to the petitioner.

Dismissed accordingly.

July 16, 2021
P.Bhatt/Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No