

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

214

CRM-M-28788-2021 (O&M)

Decided on : 05.08.2021

MONIKA RANA AND ANR

. . . Petitioner(s)

Versus

STATE OF HARYANA

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)

PRESENT: Mr. Anil Mehta, Advocate
for the petitioner(s).

Ms. Gaganpreet Kaur, AAG Haryana
assisted by SI Bhanwar Singh.

Mr. Satbir Singh Kanwar, Advocate for complainant.

MANJARI NEHRU KAUL, J. (Oral)

Prayer in the instant petition filed under Section 438 Cr.P.C., is for grant of anticipatory bail to the petitioners in case FIR No.45, dated 01.04.2021 under Sections 420, 406, 498-A, 377, 323, 506 of the IPC registered at Police Station City Tauru, District Nuh, Haryana.

Learned State counsel as well as counsel for the complainant have vehemently opposed the prayer and submissions made by the learned counsel for the petitioners for extending the concession of anticipatory bail to them. It has been urged that the petitioners were hand in glove with each other and had been subjecting the complainant to severe mental harassment and torture in case their demands were not met. While inviting the attention of this Court to the allegations levelled in the FIR in question, it has been

submitted by the learned State counsel that the FIR was lodged only after a thorough inquiry had been carried out subsequent to the receipt of a complaint against the petitioners. She has further submitted that much prior to the lodging of the FIR in question, the complainant had also moved the Women's Cell levelling allegations of harassment against all the accused including the petitioners.

Learned State counsel as well as counsel for the complainant have invited the attention of this Court to Annexure P-8 and P-9, which is a receipt of an amount of Rs.8.60 lakhs given by the father of the complainant to the accused including the petitioners and a Panchayati compromise wherein all the accused including the petitioners had admitted to harassing and torturing the complainant and also apologized for their rude behaviour towards the complainant. It has been submitted that the Whatsapp chats (Annexure P-7) on which the learned counsel for the petitioners has placed reliance do not in any way reveal, much less, reflect that any bank statements of the accused including the petitioners was ever asked for by the father of the complainant for sorting out his income tax disputes. It has therefore been submitted that in the wake of serious and specific allegations levelled against the petitioners their custodial interrogation was required.

Learned counsel for the petitioners on the other hand has submitted that the complainant and petitioners were living happily together and it was the complainant who was shirking her matrimonial obligations and pressurizing her husband i.e., the brother and son of petitioner No.1 and 2 respectively to live separately from his family. He has also submitted that the complainant had left her matrimonial home along with their daughter on

04.06.2020. While leaving she had carried along with her all her jewellery and istridhan etc. Strongly controverting the submissions made by the learned State counsel and the counsel for the complainant qua the contents of Annexures P-8 and P-9, learned counsel for the petitioners has submitted that in fact it was the complainant and her father who had fabricated and forged those documents after procuring their signatures on blank papers after convincing them that certain documents were needed to be prepared for settling some income tax cases of the complainant's father.

Heard learned counsel for the parties and perused the material of record.

Prima facie, there are serious and specific allegations levelled against the petitioners in the FIR in question for which they do not deserve the concession of anticipatory bail.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

August 05, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*