

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

CRM-M- 31628-2021 (O&M)

Date of Decision: August 09, 2021

Vishnu

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Baljeet Beniwal, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG Haryana.

Mr. Devinder Singh, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

1. The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No. 638 dated 08.12.2019, registered under Sections 148, 149, 323, 498-A of Indian Penal Code (Section 307 and 302 IPC added later on) at Police Station Hodal, District Palwal.

2. Counsel for the petitioner would contend that the petitioner herein has been falsely implicated in the present case and there is an inordinate delay of 08 days in filing of the said FIR. It is submitted that no specific injury has been attributed to the petitioner while contending that his

brother is married to the sister of the complainant, who has also filed an affidavit that no such incident took place as complained of.

3. Notice of motion was issued in the matter, pursuant to which appearance has been caused on behalf of the respondent-State as well as complainant.

4. Per contra, learned counsel appearing on behalf of the respondent-State would submit that the present case has been registered on the statement given by Smt. Poonam to the effect that she got married to the petitioner about three years ago and was being subjected to harassment on account of bringing inadequate dowry. On 01.12.2019, when her husband, sister-in-law and mother-in-law abused her physically, she called her father Bhagwan Sahai and her brother Bhagat Singh to her matrimonial house where her father and brother were too assaulted with iron rods and sticks. It is stated that her husband-Vishnu, who is the petitioner herein gave several blows on the head of her father, who died on account of injuries suffered, therefore, in view of above the custodial interrogation of the petitioner is required.

5. I have heard counsel for the parties and have gone through the pleadings of the case.

6. Admittedly, there are serious allegations against the petitioner that he along with his other family members abused the complainant physically and mentally for demand of dowry. Moreover, in the scuffle that took place at the matrimonial house of the complainant, the father and brother of complainant too got serious injuries, pursuant to which the father of the complainant succumbed to those injuries after being admitted in the

hospital. Under these circumstances, once custodial interrogation of the petitioner is required for a result oriented investigation, this court is not inclined to grant anticipatory bail to the petitioner.

7. In view of the above, the instant petition is hereby dismissed.

09.08.2021

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No