

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

CRM-M-28862-2020 (O&M)

Date of Decision:23.08.2021

Manoj Kumar

...Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: - Mr.Vikas Bali, Advocate, for the petitioner.

Mr.IPS Doabia, Addl. A.G. Punjab.

Mr.Harsh Chopra, Advocate, for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Case heard by way of video conferencing.

Though learned counsel for the complainant submits that even the status report of the DSP, Sub Division, Phagwara, dated 10.8.2021, does not answer the queries raised by this Court as regards the husband of the complainant trying to implicate the family of the complainant in a false case, however, this petition being one filed by the father-in-law of the complainant, against whom essentially, as per the FIR, the allegation is of harassment etc., with the injuries caused on the complainant, as were declared to be dangerous to life, being at the hands of the mother-in-law and sister-in-law (as alleged). The petitioner having been in custody for more than one year, without making any comment on the actual merits of the case, this petition is allowed with the

petitioner ordered to be released on bail to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

Naturally, if the complainant is aggrieved in any manner of lack of proper investigation etc., she is always at liberty to seek her remedy by way of appropriate proceedings.

It is to be noticed, as pointed out by learned counsel for the complainant, that in the order passed by this Court on 27.8.2019 in CRM-M-26993-2019 filed by the present petitioner and Mukesh Kumar, it had been observed that since the two of them were also involved in the conspiracy to eliminate her, they would not be entitled to any further interim protection, also looking at the injuries that had been sustained by the complainant.

Having considered the above and the fact that it was a petition in which the petitioner and his son sought to be admitted to bail under provision of Section 438 of the CrPC, the order herein above is passed, with it is again made clear that no comment is made on the actual merits of the case by this Court, which shall be gone into by the trial court on the basis of the evidence led before it.

23.08.2021

Vivek

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No