

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

I) CRM-M-44141-2020 (O&M)

Neelam Sahni ... Petitioner

Versus

State of Haryana ... Respondent

II) CRM-M-2137-2021 (O&M)

Karan Prabhakar ... Petitioner

Versus

State of Haryana ... Respondent

III) CRM-M-44363-2020 (O&M)

Mayank Bhasin ... Petitioner

Versus

State of Haryana ... Respondent

Date of Decision:-8.4.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Robert Kanwar, Advocate for the petitioner(s)

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Taro.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned three petitions filed on behalf of petitioners Neelam Sahni, Karan Prabhakar and Mayank Bhasin seeking grant of anticipatory bail in respect of a case registered vide FIR No.449 dated 25.11.2020 at Police Station Ladwa, District Kurukshetra, Haryana under Sections 313, 323, 354, 376, 406, 498-A and 511 of Indian Penal Code
2. At the time of issuance of notice of motion in CRM-M-44141-2020, the following order was passed on 28.12.2020:

“ Learned counsel for the petitioner contends that the FIR is an outcome of matrimonial discord which has been given the colour of criminal offences. It is alleged that although in the FIR it is alleged that the petitioner who is mother-in-law of the complainant had given kick blows to the complainant when she was six weeks pregnant leading to her miscarriage, but in fact it is a case of voluntary termination of pregnancy. It has further been submitted that the falsity of the allegations as levelled in the FIR would be evident from the fact that even offence under Section 376 IPC has been added therein though there is no such allegation in the body of the FIR.

Notice of motion for 8.4.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Thereafter, when the petitions on behalf of the other two petitioners namely Karan Prabhakar and Mayank Bhasin were filed, this Court while issuing notice of motion had granted interim bail to them as well.

4. The learned State counsel, upon instructions from SI Taro, has informed that pursuant to interim directions issued by this Court, the petitioners have since joined investigation and are not required for any custodial interrogation.
5. The matter apparently arises out of some kind of matrimonial discord between the complainant and her husband. Although, allegations have been levelled to the effect that the pregnancy of the complainant got terminated when her mother-in-law gave blows to her, but the said allegations would be debatable. It would further be worthwhile to mention that although offence under Section 376 IPC has been added in the FIR but there is no allegation, which could be said to constitute an offence under Section 376 IPC.
6. In any case, the learned counsel for the petitioner(s) has submitted that the matter has since been compromised amongst the parties and they would shortly be filing a petition for quashing of the FIR.
7. Bearing in mind the aforestated position especially that the petitioners have since joined investigation and are not required for any custodial interrogation, all the petitions are accepted and the interim directions issued by this Court vide orders dated 28.12.2020, 15.1.2021 and 5.1.2021 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.

8.4.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No