

**221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

**CRM-M-7112-2022 (O&M)
Date of Decision: 24.02.2022**

Satbir

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Bipan Ghai, Senior Advocate with
Mr. Paras Talwar, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana

MANJARI NEHRU KAUL, J.

Instant petition has been filed under Section 439 Cr.P.C., for grant of regular bail to the petitioner in case FIR No.177 dated 29.06.2021 registered under Sections 498-A, 406, 377, 420, 323, 34 IPC (Sections 464, 467, 471, 477-A, 120-B of IPC added later on) at Police Station Arya Nagar Rohtak.

Learned Senior counsel for the petitioner, while drawing attention of this Court to FIR (Annexure P-1), which was registered at the instance of the daughter-in-law of the petitioner, submits that a perusal of the same clearly reveals that the only allegations levelled against the petitioner are of subjecting the complainant to mental harassment for not getting dowry as per their expectations, which are in fact, totally false & fabricated. Learned Senior counsel further submits that as far as the allegations of forgery are concerned, the same have not been levelled against the petitioner but against his son, i.e. the husband of the complainant. He further submits that the FIR in question came to be registered on account of temperamental differences between the complainant and her husband and with an oblique motive the complainant

had implicated her parents-in-law even though after her marriage, she had been living separately with her husband at Sirsa. Learned senior counsel submits that the petitioner be extended the concession of bail, as he is 62 years old man, who has been in custody since 09.12.2021. It has also been submitted that co-accused has already been granted bail by this Court vide order dated 07.01.2022.

Per contra, learned State Counsel while opposing the prayer made by learned Senior counsel submits that there were specific allegations levelled in the FIR against the petitioner of being dissatisfied with the dowry received as a result of which he would subject the complainant to continuous harassment. Learned State Counsel has, however, not been able to controvert the fact that the allegations of forgery levelled in the FIR in question are not against the petitioner but against his son.

I have heard learned counsel for the parties and perused the material on record.

In the facts & circumstances as enumerated hereinabove, this Court deems it appropriate to extend the concession of bail to the petitioner, who is 62 years old man, as the trial will take considerable time to conclude. Resultantly, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/ Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

24.02.2022

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(MANJARI NEHRU KAUL)**JUDGE**

Whether Speaking/reasoned Yes/No

Whether Reportable Yes/No