

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

205

CRM-M-9873-2022

Date of decision : 16.08.2022

Nasima

... Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Akshit Aggarwal, Advocate for the petitioner.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

Mr. B.S. Khehar, Advocate for respondent No.2.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking cancellation of anticipatory bail granted to respondent No.2 in FIR No.575 dated 28.05.2019, under Sections 323, 324, 307, 34 and 506 IPC, registered at Police Station Jagadhri City, District Yamunanagar.

Learned counsel for the petitioner submits that respondent No.2/husband had been granted anticipatory bail on the basis of compromise which had been arrived with the petitioner/wife. Respondent No.2 has now resiled from the compromise and therefore, the anticipatory bail granted to him be cancelled. He also submits that after getting anticipatory bail, respondent No.2 had assaulted the petitioner for which another FIR No.98 dated 25.02.2022, under Sections 323, 506 IPC has been registered.

Learned counsel for respondent No.2 submits that he had made several efforts to settle the matrimonial dispute with the petitioner. They have two children including a girl aged 12 years and a boy aged 10 years and their

daughter is residing with respondent No.2 who is making all efforts for her proper upbringing.

Heard.

The petitioner is seeking cancellation of anticipatory bail granted to respondent No.2 in the aforesaid FIR which had arisen out of a matrimonial dispute between the petitioner and respondent No.2. It is alleged that respondent No.2 had threatened the petitioner for which another FIR under Section 323 and 506 IPC had been lodged but there is no MLR on record to indicate as to whether the petitioner had suffered any injury. This Court had made several efforts to get the matter amicably resolved. It was also referred to the Mediation and Conciliation Centre of this Court but the efforts did not bear any fruit.

In view of the above especially when the FIR is outcome of a matrimonial dispute, the daughter of the couple is residing with respondent No.2 and there is no MLR to indicate that the petitioner had suffered any injury at the hands of respondent No.2, I do not find any ground to cancel the anticipatory bail granted to respondent No.2.

Consequently, the petition stands dismissed.

However, it is clarified that in the event of respondent No.2/husband assaulting or threatening the petitioner/wife, it would be open to her to prefer an application in this regard.

(ANUPINDER SINGH GREWAL)
JUDGE

August 16, 2022

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No