

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-21855-2022

Date of Decision: June 02, 2022

MADAN GOPAL GOEL AND OTHERS

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr.Sunil Chadha, Senior Advocate with
Mr. Rahul Bhargava, Advocate and
Ms. Tara Dutt, Advocate for the petitioners.

Ms. Deepshikha Chauhan, AAG, Haryana.

Mr. Navkiran Singh, Advocate for the complainant.

SUVIR SEHGAL, J.

Vide the instant petition filed under Section 482 of the Code of Criminal Procedure (for short - the Code) read with Section 438 of the Code, petitioners seek grant of transit anticipatory bail in FIR No.8 dated 13.03.2021, Annexure P-1, registered under Sections 354, 354-B, 509, 307, 323, 325, 506 and 34 IPC at Police Station Bidhannagar East, Women Police Commissionerate Bidhannagar, West Bengal.

Learned Senior counsel representing the petitioners has submitted that the petitioners are the blood relations of Amit Goel, who has a matrimonial dispute with his wife-complainant. He submits that the complainant had filed the petition under Section 156 (3) of the Code in West Bengal and on the order of the Jurisdictional Magistrate, FIR, Annexure P-1, has been registered, wherein besides, Amit Goel, present petitioners are also arraigned as accused. It has been submitted that the husband of the complainant has been taken into

custody and the petitioners are apprehending their arrest. Limited prayer has been made that the petitioners be granted transit anticipatory bail to appear in the Court in West Bengal.

On 18.05.2022, this Court issued notice to State of Haryana-respondent No.1 and stayed the arrest of the petitioners till the next date. In response to notice issued by the Court, State-respondent No.1 has filed status report by way of an affidavit of Assistant Commissioner of Police, Headquarters, Panchkula, wherein it has been submitted that the police of West Bengal came to Panchkula on 16.05.2022 with arrest warrants issued in the name of the petitioners as well as Amit Goel, who has been arrested but the petitioners were not found. It has been further submitted that FIR No.496 dated 11.11.2019 has been registered by Amit Goel, husband of the complainant, under Section 147, 149, 323, 380, 452 and 506 IPC at Police Station Sector-5, Panchkula against the complainant and other accused, wherein she has joined the investigation and has been released on bail. Furthermore, it is submitted that investigation in the said case is complete and final report has been presented, though charge has not been framed.

While vehemently opposing the petition, Mr. Navkiran Singh, Advocate, who is representing the complainant has submitted that the petitioners have approached the competent Court and have filed a petition seeking grant of anticipatory bail. This fact has been affirmed by the counsel representing the petitioner, though he submits that the bail petition is yet to come up for hearing.

Having heard and considering the submissions made by counsel for the parties, this Court is of the view that the petitioners deserve to be granted protection for a reasonable period so that they can pursue the remedy

available to them in accordance with law.

Consequently, it is directed that the interim order dated 18.05.2022, whereby the arrest of the petitioners has been stayed in FIR, Annexure P-1, shall continue till 10.06.2022.

The petition is disposed of.

(SUVIR SEHGAL)
JUDGE

June 02, 2022
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Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No