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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-27290-2022

Date of Decision: July 12, 2022

Devika

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr.Kanhiya Soni, Advocate
for the petitioner.

.....

RAJESH BHARDWAJ, J.(ORAL)

Instant petition has been filed under Section 439(2) Cr.P.C. praying for cancellation of anticipatory bail granted to respondent No.2 by this Court vide order dated 02.05.2022 confirming the interim order dated 28.01.2022 in case FIR No.72, dated 05.05.2020, under Sections 323, 313, 325, 498A, 506, 34 IPC, registered at Police Station Rohrai (Rewari).

It is contended by learned counsel for the petitioner that petitioner was married with respondent No.2-Pawan on 29.11.2017. After the marriage, the respondent No.2 and his family members started harassing the petitioner and hence, on account of the matrimonial discord, petitioner lodged the present FIR. Apprehending the arrest, respondent No.2 had approached the Court of learned Additional Sessions Judge, Rewari, praying for grant of anticipatory bail, who declined the same vide order dated 21.01.2022. Thereafter, respondent No.2 approached this Court by way of CRM-M-3260-2020 for grant of anticipatory bail and the same was allowed

vide impugned order dated 02.05.2022.

Counsel for the petitioner submits that respondent No.2 misrepresented before this Court regarding the addition of offence under Section 313 IPC at a later stage. He submits that the same was added at the time of filing of supplementary challan. He further submits that allegations regarding the same were there since the beginning, however, the offence was added at a later stage and hence, respondent No.2 is not entitled for concession of anticipatory bail. He has submitted that respondent No.2 intentionally misrepresented before this Court that the offence under Section 313 IPC was added deliberately at a later stage to make the case serious against him, however, the supplementary challan was duly filed for the same and hence the impugned order deserves to be recalled.

I have heard learned counsel for the petitioner and perused the record.

Precise submission of the petitioner of misrepresentation by respondent No.2 is not substantiated. This Court passed the order after perusing the record and the status report filed by the State. The Court finds nothing on record substantiating the contentions raised by counsel for the petitioner. There are no supervening circumstances justifying the prayer made by counsel for the petitioner. There is nothing on record to show that the respondent No.2 has ever misused the concession of bail granted to him.

In the overall facts and circumstances, this Court finds no merit in the petition and hence the same is hereby dismissed.

July 12, 2022

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(RAJESH BHARDWAJ)

JUDGE

1. Whether speaking/reasoned ?

Yes/No

2. Whether reportable ?

Yes/No