

226 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45344-2022

Date of Decision: 13.12.2022

ANAND @ ANAND PARKASH ... PETITIONER
VS.
STATE OF HARYANA AND ANOTHER .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Sudhir Rana, Advocate
for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

VIVEK PURI, J.(ORAL)

On 29.09.2022, the following order was passed:-

“Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.170 dated 15.08.2022, registered under Sections 498-A/354-A/354-B/506/34 IPC, 1860 at Police Station Behal, District Bhiwani.

Precisely, the FIR has been registered against the petitioner who is the father-in-law of the complainant on the allegations that he had outraged the modesty of respondent No.2/complainant.

Learned counsel for the petitioner contends that the present FIR is an outcome of the matrimonial dispute of the son of the petitioner and respondent No.2/complainant. The marriage of Pardeep, the son of the petitioner was solemnized with respondent No.2/complainant on 15.05.2011 and two children have been born from the wedlock. The matrimonial dispute has occurred as the son of the petitioner had seen the complainant with an unknown person in a compromising condition and consequently, he had submitted a complaint at Police Station Tosham. Furthermore, the complainant has also instituted a petition under Section 125 Cr.P.C and the son of the petitioner has instituted a petition under Section 13 of Hindu Marriage Act for dissolution of marriage. There was no complaint at the earlier instance submitted by the complainant during a period of 10 years of marriage.

Notice of motion.

Ms. Ruchika Sabherwal, AAG, Punjab accepts notice on behalf of the respondent-State.

Adjourned to 13.12.2022.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that he joins the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Rajwanti, has not disputed the aforesaid factual aspect and further submits that custodial interrogation of the petitioner is not required.

Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 29.09.2022, vide which the petitioner has been granted interim bail, is made absolute.

Petition is allowed.

13.12.2022
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(VIVEK PURI)
JUDGE

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