

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

CRM-M-54237-2021

Date of decision : 09.11.2022

Rama Kant Yadav

..... Petitioner

versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Manav Dhull, Advocate for
Mr. Ramesh Hooda, Advocate
for the petitioner.

Mr. B.S. Virk, D.A.G., Haryana.

Mr. Abhishek Sethi, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in case FIR No.273 dated 24.11.2021, under Sections 323, 376, 506, 511 of the Indian Penal Code at Police Station Women, District Yamuna Nagar.

Vide order dated 03.08.2022, while granting interim protection, the petitioner was directed to join investigation.

Learned counsel for the petitioner has submitted that pursuant to order dated 03.08.2022, petitioner has duly joined the investigation and as such his interim bail may be made absolute. He has submitted that the dispute has arisen out of the matrimonial discord and on account of the same, petitioner who is father-in-law has been falsely implicated in the case. He submits that the petitioner has no criminal antecedents and duly complied with the order passed by this Court by joining the investigation.

Learned counsel for the complainant has opposed the prayer made by learned counsel for the petitioner. He has submitted that the

complainant-prosecutrix is daughter-in-law of the petitioner and has levelled specific allegations against the petitioner. He also submits that she has supported the case in her statement under Section 164 Cr.P.C. He relies upon the judgment titled as Baldev Sharma Vs. State of Haryana, 2021(2) RCR (Criminal) 321.

Learned State counsel, on the other hand, has drawn the attention of this Court to the reply filed by the State on 03.07.2022 wherein it has been mentioned that the petitioner has joined investigation.

I have heard counsel for the parties and perused the record.

Evidently, the petitioner is father-in-law of the complainant. There are allegations by the complainant regarding the offence alleged. Learned counsel for the complainant has relied upon the judgment of *Baldev Sharma's case (supra)*. Perusal of the same would show that the said case was for the offence under Sections 498-A, 306, 354, 376 and 511 of IPC. Besides this, the husband of the prosecutrix in the case relied upon was no more. This Court would refrain from commenting anything on the merits of the case. However, keeping in view the facts and circumstances of the present case wherein the petitioner has already joined investigation, interim order dated 03.08.2022 is made absolute subject to compliance of conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

(RAJESH BHARDWAJ)
JUDGE

09.11.2022
m.sharma

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No