

101 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-50123-2022

DECIDED ON: 31st OCTOBER, 2022

JASWANT SINGH AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF HARYANA

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. RVS Chugh, Advocate,
for the petitioners.

Mr. Chetan Sharma, AAG, Haryana.

SANDEEP MOUDGIL, J

Prayer in the present petition is for grant of anticipatory bail in FIR No. 312, dated 13.09.2022, under Sections 148, 149, 323, 325, 342, 365, 452 and 506 IPC, registered at Police Station Babain, District Kurukshetra.

Learned counsel for the petitioners contends that in fact the whole dispute has arisen out of the matrimonial discord between the complainant and co-accused Shinderpal Kaur (daughter of petitioner No.1 and sister of petitioner No.2) who were married about 10 years ago and for the last 6 years dispute is going on. It is the specific assertion made by counsel for the petitioners that an agreement dated 16.08.2022 and the panchayati settlement were entered into but the same are being misused under the garb of allegation to the effect that the said agreement and the panchayati settlement were got made under coercion.

Notice of motion.

On the asking of the court, Mr. Chetan Sharma, AAG,

Haryana and has strongly opposed the prayer made in the present petition on the ground that the offences against the petitioners are serious in nature. Moreso, the recovery of car bearing registration No. PB-31-P-5859, dandas and bindas used in the commission of offence are yet to be effected from the possession of the petitioners, for which custodial interrogation of petitioners is required.

Be that as it may, it is also evident from the record that the multiple litigation of matrimonial discord including application under Section 125 CrPC is also pending between the parties. The complainant is working as a Govt. Teacher who agreed to pay ₹5000/- per month to the co-accused namely Shinderpal Kaur for her personal expenses apart from payment of ₹30 lakhs at the time of retirement and transfer of one plot in her name situated at Babain, Tehsil Thanesar, District Kurukshetra.

It seems to be a clever devise adopted by the complainant to implicate the petitioners in the present FIR.

In view of the afore-said facts and also the fact that the co-accused namely Sinderpal Kaur @ Shinderpal Kaur has already been granted the concession of interim bail by this Court vide order dated 29.10.2022 passed in CRM-M-46315-2022, petitioners deserve the concession of anticipatory bail.

The petitioners are granted anticipatory bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer and are directed to join the investigation and would come present as and when called for. The petitioners shall abide by the conditions as specified under Section 438(2) Cr.P.C.

Disposed off, accordingly.

However, respondent-State will be at liberty to seek cancellation of bail, in case the petitioners do not join the investigation.

SANDEEP MOUDGIL
JUDGE

31st OCTOBER, 2022.
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>