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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-2132-2024
Date of decision : 08.05.2024

Manoj Kumar Petitioner

versus

State of Haryana Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. N.K. Ganga, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.191 dated 19.05.2023, registered for the offences punishable under Sections 452, 323, 324, 326 and 506 of IPC, 1860 at Police Station Bhuna, District Fatehabad.
2. As per the contents of the FIR, it has been alleged as under:-

“Statement of Geeta age 19 years W/o Manoj, D/o Shankar Lal resident of Dhani Gopal. Mobile No.97297-13565. It is stated that I am resident of above-mentioned address and I used to do household work. On date 18.05.23 at 9:30 PM I was at my maternal house. Then in the meantime my husband Manoj S/o Jai Prakash resident of Madhoana and one another young man, whose name

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I do not know, have come on motorcycle of Manoj and on another motorcycle son of maternal uncle (Mama) of Manoj, Amit S/o Balraj resident of Kani Kheri and one another young man whose name I do not know, have come to our house. That just after coming they started giving beatings to me, my elder sister Kanta and my mother Santosh W/o Shankar Lal. My husband Manoj has inflicted injuries on me with iron pipe and ice picks (Sua) which he was holding in his hand and he also inflicted injuries at my sister Kanta and my mother Santosh with iron pipe and ice picks (Sua). After that Manoj and three others who have come with him, were holding iron rod and iron pipes, they together have inflicted Injuries on us and after hearing our quarrel, son of my uncle (Tau), Ram Niwas S/o Ranjit Singh resident of Dhani Gopal has come on the spot and after his coming, all accused persons have ran away from the spot along with their weapons and while leaving from there, they have threatened to kill us that today you was saved, in future will kill you. They fled away by leaving motorcycles in front of our house. The numbers are HR-23G-0721 Deluxe and HR-22H-2216 Plateena. The reason behind animosity is that I have come to my parental house and I do not want to stay with family of my in-law's husband. Because of this reason my husband Manoj and son of his maternal uncle (Mana), Amit and his two other companions, together have inflicted injuries on me, my sister Kanta and my mother Santosh. That the legal action be initiated against them.xxxx”

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3. Counsel for the petitioner submits that the dispute is owing to matrimonial discord between the petitioner as well as complainant Geeta.
4. Petitioner is behind bars for more than 08 months and 09 days. Challan already stands presented.
5. Without commenting on the merits of the case, keeping in view that the parties are closely related and at the heart of the dispute lies matrimonial discord, present petition is allowed. However, subject to a condition that the petitioner shall not harm the complainant in any manner after being admitted to bail. In case, the aforesaid condition is violated, the complainant shall be at liberty to move an appropriate application before this Court seeking cancellation of bail.
6. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.
7. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

08.05.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No