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

CRM-M-28184-2024

DATE OF DECISION: 30.05.2024

PARAMJIT KAUR AND ANOTHER

...PETITIONERS

Versus

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Tushar Gautam, Advocate the petitioner(s).

Mr. B.S.Virk, Sr. DAG, Haryana.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 438 of Cr.P.C., for grant of anticipatory bail in case FIR No.57 dated 26.04.2024 registered for offences punishable under Sections 186/332/353/349/509/506 IPC read with Section 34 IPC registered at Police Station Sector-9, Ambala City, District Ambala.

2. Learned counsel for the petitioners submits that the allegations levelled against the petitioners are that they have entered into the police station and gave beatings to Swati (daughter-in-law of the petitioner) and took the quarrel with the complainant and other police officials. The said allegations are unbelievable as there were many police officials present there. He further submits that the petitioners were not even present in the police station at the time of alleged incident. It is further submitted that the complainant in connivance with Swati who is wife of their son registered the instant FIR on vague and



false allegations. It has been further argued that Swati has already initiated criminal proceedings against the present petitioners and their son in FIR No. 61 dated 28.04.2014 under Section 323/506 IPC which stands quashed and just to entangle the present petitioners, a false case in connivance with lady constable has been registered.

3. Notice of motion.

4. On the asking of Court, learned State Counsel appearing on advance notice, accepts notice on behalf of respondent-State and on instructions opposes the prayer for grant of bail but could not produce any incriminating evidence connecting the petitioners with the alleged incident. He is not in a position to controvert the submissions made by counsel for the petitioners but submits that is a case of manhandling of police official while performing the duty in the police station.

5. However, the presence of the petitioners is disputed and story of prosecution cannot be ruled out to be concocted one since the earlier FIR was found to be false and stands quashed vide order dated 28.05.2024 passed in CRM-M-23142-2024.

6. In light of the aforesaid facts, this Court finds no reason to deny the petitioners the concession of bail if the petitioners have bona fide intentions and are willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency in time.

7. Hence, in view of the admitted set of circumstances before this Court, the petitioners are directed to be released on anticipatory bail



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subject to their joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

8. However, it is made clear that in case the petitioners do not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

9. The petition in the aforesaid terms stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

30.05.2024
anuradha

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>