

**CRA-S-4049-2024****-1-****206****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRA-S-4049-2024**

Date of Decision:- 23.07.2025

Guddi Devi

....Appellant

Vs.

State of Haryana and Anr.

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTIPresent:- Mr. Tanvir Grewal, Advocate for
Mr. Jitender K. Sehrawat, Advocate for the appellant.

Mr. Viney Saini, AAG, Haryana.

AMARJOT BHATTI, J.

1. Appellant Guddi Devi has filed present appeal against impugned order dated 30.11.2024 passed by learned Additional Sessions Judge, Hisar vide which his anticipatory bail application in FIR No.398 dated 24.08.2024, under Section 313, 323, 376(2)(n), 406, 420, 506 of IPC and Sections 3(1)(r), 3(1)(s), 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 was dismissed. The aforesaid order is liable to be set aside and the present appellant may be released on anticipatory bail.

2. As per facts of the case, prosecutrix filed written complaint against Vijay Dhull and his mother Guddi Devi. The complainant stated that her first marriage was solemnized with Satbir in the year 2005 and out of this wedlock, she was having two children aged about 17 years and 14 years

**CRA-S-4049-2024****-2-**

respectively. In the year 2016, she started residing at Gurugram in connection with her work. In the year 2020 her husband Satbir expired and thereafter, in the year 2021, she started residing at Hisar. She came in contact with Vijay Dhull and he proposed her for marriage. Initially, she refused to marry him but she came under his pressure. On 11.02.2022, he got prepared a marriage certificate from Sarv Samaj Kalyan Welfare Trust, Satrod Kalan, Hisar. He was reluctant to take her to his home. He claimed that he would make his family understand. During this period, he started having physical relations with her on the pretext of marriage. The complainant has narrated various incidents when she became pregnant in September 2022 and thereafter in February 2023 when under his compulsion, the pregnancy was terminated. He took loan for purchasing a truck from Indusind Bank in the name of complainant with the assurance that he will deposit the instalments. She started receiving calls from the Bank and her account was also seized. Accused No.1 also exhausted limit of her credit card to the tune of Rs.1.5 Lacs. At the time of filing of complaint, she was again 05 months pregnant. She called accused No.2 who abused her by naming her caste. Accused No.1 also started denying his marriage as well as paternity of unborn child. Finally, the matter was reported to the police.

3. Learned counsel for appellant raised the issue that present appellant has been falsely implicated in this case. The contents of FIR indicate that all the allegations are against Vijay Dhull. Present appellant is mother of the main accused. She was granted interim bail vide order dated 12.12.2024 and in pursuance of the same, she has already joined the

**CRA-S-4049-2024****-3-**

investigation. She is still ready to abide by the terms and conditions of bail order. Therefore, impugned order dated 30.11.2024 passed by learned Additional Sessions Judge, Hisar may kindly be set aside by accepting the present appeal and the appellant may be granted concession of anticipatory bail.

4. Status report is filed by learned counsel representing State. The contents of FIR are confirmed. It is pointed out that challan against main accused Vijay Dhull is already presented. On the other hand, in pursuance of interim relief, appellant has already joined the investigation on 02.01.2025. Learned counsel representing State pointed out that appellant is not required for further investigation.

5. I have considered the aforesaid factual position and have gone through the contents of FIR carefully. Prosecutrix levelled all allegations against Vijay Dhull who is already facing trial. The name of present appellant figured at the end by levelling allegations that she abused the prosecutrix by naming her caste. There is nothing on record that she played any role when the prosecutrix came into relationship with Vijay Dhull or when she conceived or allegedly undergone abortion from time to time. There is nothing on record to show that prosecutrix ever visited the house of appellant.

Considering the totality of facts and circumstances of the case, in my opinion impugned order dated 30.11.2024 passed by learned Additional Sessions Judge, Hisar is not on sound footing and the same is accordingly set aside by accepting the present appeal. Furthermore, appellant



CRA-S-4049-2024

-4-

has already joined the investigation in pursuance of order dated 12.12.2024 and the same is accordingly confirmed with the same terms and conditions. Present appeal is accordingly allowed.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

23.07.2025

sunil devi

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No