

Surendra Singh S/O Shri Jagdish Singh vs State Of Rajasthan on 21 November, 2022

Author: Chandra Kumar Songara

Bench: Chandra Kumar Songara

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 292/2022

1. Surendra Singh S/o Shri Jagdish Singh, Aged About 66 Years, R/o Ward No. 11, 3, Hathin Dist. Palwal Haryana
2. Kavita Rani W/o Shri Surendra Singh, Aged About 62 Years, R/o Ward No. 11, 3, Hathin Dist. Palwal Haryana

----Petitioners

Versus

State Of Rajasthan, Through Pp

----Respondent

For Petitioner(s)	:	Mr. Deepak Chauhan
For Respondent(s)	:	Mr. Riyasat Ali, PP
		Mr. Takhat Singh for complainant

HON'BLE MR. JUSTICE CHANDRA KUMAR SONGARA Order 21/11/2022 This anticipatory bail application has been filed under Section 438 Cr.P.C. in connection with FIR No. 78/2020 registered at Police Station Mahila Police Station, District Jaipur (South) for the offences under Sections 498-A, 406, 323 & 341 of IPC and Section 3 & 4 of Dowry Prohibition Act, 1961.

Learned counsel for the petitioners submits that the complainant's husband has been given interim protection from arrest by the hon'ble Apex Court vide its order dated 16.12.2021. The present FIR has been lodged after a prolonged delay of about six months. The petitioners are father-in-law and mother-in-law of the complainant. The petitioners have no criminal antecedents and they have been given interim protection from arrest by the co- ordinate Bench of this Court vide its order dated 10.01.2022.

(2 of 3) [CRLMB-292/2022] Hence, the anticipatory bail application of the accused-petitioners may be granted.

Learned Public Prosecutor has opposed the bail application and submitted the factual report which is taken on record.

Learned counsel for the complainant has also opposed the bail application and submits that a petition of Domestic Violence Act is pending against the petitioners. Another petition under Section 9 of Hindu Marriage Act is also filed. Hence, the anticipatory bail application of the petitioners may be rejected.

Heard learned counsel for the parties and perused the material available on record.

Considering the submissions made by the learned counsel for the petitioners and looking to the facts and circumstances of the case but without expressing any opinion on the merits and demerits of the case, I deem it just and proper to enlarge the petitioners on anticipatory bail.

Accordingly, this anticipatory bail application is allowed and it is ordered that in case of arrest of the petitioners-Surendra Singh S/o Shri Jagdish Singh and Kavita Rani W/o Shri Surendra Singh in the aforesaid FIR, the accused-petitioners shall be released on bail; provided each of them furnishes a personal bond in the sum of Rs.50,000/- with two sureties in the sum of Rs. 25,000/- each (out of which one surety shall be resident of Jaipur Metro or Jaipur District) to the satisfaction of concerned SHO/IO on the following conditions:

i) That the petitioners will make themselves available for the investigation as and when required by the investigation officer.

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ii) That the petitioners will not leave India without permission of the Court.

iii) That the petitioners will not temper with the evidence or threaten or pressurize the witnesses in the case.

(CHANDRA KUMAR SONGARA),J Payal/11 Powered by TCPDF (www.tcpdf.org)