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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-33090-2024

Date of Decision:- 06.02.2025

HARJIT KUMAR @ HARJIT MEHTA

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Ankit Joshi, Advocate for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab

Mr. Ashok Paul Batra, Advocate for the complainant.

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 438 of Cr.P.C for grant of anticipatory bail in FIR No.97 dated 08.06.2024 under Sections 325, 354, 323 and 34 of IPC registered at Police Station City Sri Muktsar Sahib, Sri Muktsar Sahib.

2. As per the facts of the case, Surinderpal gave his statement that his elder son Dr. Manoj Kumar got married with Rozi Mehta daughter of Harjit Mehta about 4 years ago. Soon after marriage his daughter-in-law Rozi started creating trouble in the family. She did not interact with the family members. On 05.06.2024 at about 3.30/4.00 pm his daughter-in-law called her mother Asha Rani, father Harjit Mehta. He was called at home around 3.50 pm. He noticed that parents of his daughter-in-law were standing outside their house and when he went



inside the house he noticed that his daughter-in-law Rozi was packing her clothes in bag. He tried to stop his daughter-in-law who came near the gate. Harjit Mehta and Asha Mehta started abusing him. He tried to explain that Rozi was not ill treated in the matrimonial home. Verbal altercation took place and in the meantime his daughter Dazy came out who had come from Delhi to stay with them during holidays. On this, Asha Mehta raised lalkara calling Harjit Mehta to outrage modesty of his daughter. Harjit Mehta touched his daughter in an inappropriate manner and had a quarrel. He picked up stone and gave blow which hit on her left arm. He gave two more blows which hit on her right elbow and left arm. Many people gathered there. Thereafter, Harjit Mehta and Asha Mehta left along with his daughter-in-law Rozi. He was taken to Civil Hospital for treatment. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that all allegations levelled against present petitioner are false. In-fact, daughter of petitioner was ill-treated in the matrimonial home and for this reason he along with his wife had gone to the house of complainant to bring her back. Regarding occurrence matter was reported to the police but police did not take any action. After a delay of 3 days, present FIR has been registered with false allegations. Petitioner is an old man with no intention to outrage the modesty of daughter of complainant.

4. On the other hand, bail application is opposed by learned counsel for the complainant. It is pointed out that allegations are serious in nature. He is relying upon still photographs taken from CCTV



footage regarding the said quarrel. In this incident daughter of complainant had suffered injury. Complainant was also admitted in Civil Hospital Muktsar Sahib where the police recorded his statement. Considering the gravity of offence, petitioner is not entitled to be released on anticipatory bail.

5. Status report has been filed. Learned counsel representing State also opposed anticipatory bail taking the stand that petitioner outraged the modesty of daughter of complainant and she was also caused injury. Therefore, he is not entitled to be released on anticipatory bail. As per the status report, petitioner has joined the investigation and the challan will be presented in the Court shortly.

6. I have considered the arguments and have gone through the record. Arrest of petitioner was stayed and he was directed to surrender his passport before the Investigating Agency vide order dated 15.07.2024 passed by Coordinate Bench. Later-on, it was clarified that petitioner filed affidavit that he was not having a passport. Perusal of status report shows that petitioner has already joined the investigation and no recovery is to be effected from him. Facts of the case further indicates that dispute has arisen out of matrimonial dispute. Since petitioner has already joined the investigation, no purpose would be served by sending him behind the bars. Therefore, anticipatory bail filed by petitioner is allowed. He be not arrested. In case of his arrest, he be released on bail to the satisfaction of Arresting/Investigating Officer concerned, subject to condition that petitioner will join investigation as and when required. He will not tamper with or interfere



with investigation and will not leave country without prior permission as provided under Section 438 (2) of Cr.P.C.

7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

06.02.2025

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No