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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1600/2015**

TRILOCHAN SINGH BAWA

..... Petitioner

Through: Mr.N.K.Kantewala, Mr.Rakesh
Chahal, Advocates.

versus

STATE

..... Respondent

Through: Ms.Rajni Gupta, APP.
Mr.Pawan K.Bahl, Advocate for the
complainant.
Insp.Tejpai, P.S.Rajouri Garden.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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15.09.2015

The petitioner seeks anticipatory bail in FIR No.561/2015 (P.S.Rajouri Garden) instituted for the offences under Section 304B/498A/34 of the IPC.

The father of the deceased lodged the first information report that her daughter who was married to co-accused Parvinder Singh Bawa was not kept well in her matrimonial home. Out of the matrimonial relationship of the deceased with her husband, a son was born who is now about five years of age. The father of the deceased has alleged that in the matrimonial home, her daughter was troubled at the instance of her father-in-law (petitioner), mother-in-law and an unmarried sister-in-law. It has been stated that some days prior to the occurrence, his daughter had come to his house and had

apprised him that her husband was demanding Rs.2,00,000/-. The father of the deceased was sanguine that the matrimonial dispute would be resolved if he visits the matrimonial home and talks to the accused persons. But as ill luck would have it, on the next day only, the informant received information that his daughter has committed suicide. Learned counsel for the petitioner submits that the fact that the deceased committed suicide cannot be disputed because the door was broken open and the deceased was found hanging from a fan. It has further been submitted that the petitioner is employed in ONGC and has to attend to his service at Bombay. Only after coming to know about the deceased having committed suicide, the petitioner rushed from Bombay to Delhi. In support of such a contention, the petitioner has brought on record a copy of the boarding pass of the aircraft by which he came to Delhi on the same day when the deceased committed suicide.

Learned counsel for the complainant/informant submitted that the nature of employment of the petitioner is such that he is required to be at the work place only for 15 days in a month. For other days, the petitioner stays at home. He further submits that the offence is continuing in nature and only because of the ill-treatment and inhuman behaviour which was meted out to his daughter, she was goaded to commit suicide at a young age. Learned counsel for the complainant has also drawn the attention of this Court to the complaints made by the petitioner and his wife (mother-in-law of the deceased) to the police regarding the unsavoury conduct of the deceased. Learned counsel for the complainant with reference to such complaints, states that the preparation was afoot for creating a defence for themselves and in fact they had planned to eliminate the deceased. It has further been submitted that in the FIR, the informant has specifically alleged that when

the deceased wanted to visit her paternal home to see her father who had been ailing for some time, the mother-in-law and sister-in-law fought with her and in fact prevented her from visiting her house.

It appears from the records that the wife of the petitioner is suffering from kidney trouble and is under dialysis. The records further reveal that the relationship between the deceased and the in-laws have not been cordial. The penultimate cause for the deceased to end her life was the demand of Rs.2 lakhs by the husband, which fact was communicated to the informant a day prior to her committing suicide. The wife of the petitioner, though on medical grounds, has been admitted to bail.

Considering the aforesaid circumstances, this Court is inclined to grant anticipatory bail to the petitioner.

Let the petitioner be released on bail in the event of his arrest on his furnishing a bond in the sum of Rs.25000/- with two sureties of like amount to the satisfaction of the Trial Court.

It is submitted that chargesheet against the husband and the mother-in-law of the deceased has already been submitted.

The petitioner is directed to participate and join the investigation in right earnest. His refusal or reluctance to do so would entitle the investigating officer of the case to have the privilege of anticipatory bail cancelled.

The application is disposed of.

Dasti.

ASHUTOSH KUMAR, J

SEPTEMBER 15, 2015

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