

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No.M-19834 of 2016
Date of decision : 19.08.2016

Saroj and another

.....Petitioner(s)

Versus

State of Punjab & another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. K.S. Dadwal, Advocate
for the petitioners.

Mr. V.P.S. sidhu, AAG, Punjab.

Mr. Veneet Sharma, Advocate
for the complainant.

ANITA CHAUDHRY, J.

The petitioners are the mother in law and father in law who are seeking anticipatory bail in FIR No.20 dated 07.04.2016, registered under Sections 306/34 IPC (Sections 304-B, 498-A, 420, 120-B IPC added later on), Police Station D Division Amritsar, District Amritsar.

On 02.06.2016 the following order was passed:-

“Learned counsel for the petitioners states that a suicide note was left by the girl and there was not even a whisper against the father-in-law and a good word were said for the mother-in-law but the mother of the deceased had referred to the family at the end of the complaint.

On oral request, the petitioner is permitted to implead the complainant as respondent-party. Amended memo of parties be filed and thereafter notice of motion be issued, returnable for 19.08.2016.

In the meanwhile, the petitioners are directed to join the investigation and if they are sought to be arrested, they shall be released on bail to the satisfaction of the arresting/investigating officer subject to the conditions laid down in section 438 sub section 2 clauses (i)(ii) and (iii) of the Code of Criminal Procedure.”

The complainant side has appeared and has placed on record copy of the suicide note, which runs into five pages.

The counsel for the complainant has urged that a wrong statement was made to mis-lead the Court and the complete copy of the suicide note was not placed on record and in the last 7 - 8 lines of first page of the suicide note reference is to the mother of the victim and not to the mother in law and purposely the words have been twisted and photocopy of the vernacular placed on record is not in the hand of the deceased and has been manipulated to get a favourable order.

The last six lines in Annexure P-2 provided by the petitioners read as under:-

“God will see each and every thing. He will punish him definitely. Leave that. Mumma you are such a nice lady. You never demanded even a single penny for everyone. You will stand on your feet always. God is always with you. You will go to submit if you get time.”

Whereas the last paragraph (6 – 7 lines) of the first page of the suicide note reads as under:-

“God will see each and everything. He will punish him definitely. Leave all that. Mamma, you are such a nice lady. You never demand even a single penny for anyone. You will stand on your feet. God is always with you. You will go to Sumit now. It is your rest time.”

The suicide note written by the deceased runs into five pages. The vernacular of Annexure P-2 is a hand written note and not the photocopy of the suicide note but in a hand writing of some other person. The last lines have been completely changed to show that the reference was to the mother in law whereas the reference was to the victim's own mother and in the end the victim had asked her mother to go and live with the brother namely Sumit. The other pages clearly reflect that reference is to the mother.

The petitioners have mis-lead the Court and they are not entitled to any consession.

The petition is dismissed.

19.08.2016

sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No