

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM No.M-24477 of 2016 (O&M)
Date of Decision: August 04, 2016

Mamta

...Petitioner

VERSUS

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Neeraj Yadav, Advocate
for the petitioner.

Mr.D.R.Singla, Deputy Advocate General, Haryana
for the respondent-State.

Mr.Dinesh Kumar Jangra, Advocate
for the complainant.

INDERJIT SINGH, J.

The petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.14 dated 11.01.2016 under Sections 306 and 34 IPC, registered at Police Station Sadar Bhiwani, District Bhiwani.

Notice of motion was issued and learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that as per the allegations in the FIR, complainant's son namely Amarjit Singh was got married with Mamta on 09.02.2003. Due to matrimonial dispute, Mamta left her matrimonial home

also filed maintenance case against Amarjit Singh (deceased). It is the case of the complainant that her son was very stressed due to his in-laws and wife. Amarjit Singh used to visit his in-laws house to take back her wife, but his in-laws always refused to send her back. It is further stated by the complainant that Amarjit Singh committed suicide on 10.01.2016.

Suicide note is also there. I have perused the suicide note. In no way, any abetment has been alleged against the present petitioner by the deceased.

Keeping in view the above facts and circumstances and the fact that Mamta was residing with her parents for the last about five years prior to the occurrence, I find it a fit case where petitioner is entitled to benefit of anticipatory bail. Otherwise also, the petitioner is not required for custodial interrogation.

Without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in the present petition and the same is allowed. It is ordered that in the event of arrest, the petitioner be released on anticipatory bail subject to her furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

August 04, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No