

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No.M-26964 of 2016 (O&M)
Date of decision : 16.08.2016

Raj Singh and another

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. G.C. Shahpuri, Advocate
for the petitioners.

Ms. Dimple Jain, AAG, Haryana.

ANITA CHAUDHRY, J.

The petitioner is seeking anticipatory bail in FIR No. 121 dated 03.06.2016, registered under Sections 306/201/34 IPC (Section 302 IPC added later on), Police Station Sadar Yamuna Nagar, District Yamuna Nagar.

Counsel for the petitioners contends that the petitioners are the mother in law and the father in law and in the complaint lodged with the police the allegations were that the kerosine oil had been poured on the deceased and she had been cremated at night and initially the FIR was registered under Section 302 IPC but subsequently the FIR had been registered under Section 306 IPC. Counsel urges that an affidavit had been given by the President of the Gram Panchayat that the parents of the girl had been informed about the incident. Reliance was placed upon *Sanjay and*

another Vs. State of Haryana 2015(2) RCR (Crl.) 312, Jagdeep Kaur Vs. State of Punjab 2013(4) RCR (Crl.) 1013 and Gurjant Singh and others Vs. State of Punjab 2013(4) RCR (Crl.) 515.

The bail application is opposed by the State and it was urged that the incident took place at about 10:30 PM and as per their investigation the girl was cremated the same night without informing the parents. It was urged that the body was taken to district Deoband and there is no postmortem report.

I have gone through the authorities referred to by the petitioners. The facts of each case have to be examined while deciding the petition. The girl had died in the matrimonial home and was cremated the same night by taking the body to another State. No information was given to the parents. The parents got some information and when they came and found that she had already been cremated and there is no postmortem report.

Considering these allegations no case for anticipatory bail is made out. The petition is dismissed.

16.08.2016
sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No