

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

**CRM No.M-10762 of 2017
Date of decision: 30.03.2017**

Sanjeev Kumar

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. karan Vir Nanda, Advocate
for the petitioner.

REKHA MITTAL J. (Oral)

The petitioner prays for grant of pre-arrest bail in FIR No.220 dated 20.02.2017 under Section 365 of the Indian Penal Code (in short 'IPC) registered at Police Station Jagadhri City, District Yamuna Nagar (offence under Section 306 IPC added later).

Counsel for the petitioner has submitted that Babita (since deceased) was married to Bhushan Lal elder brother of the petitioner in the year 2005. The younger sister of Babita namely Pooja was married to the petitioner. It is further submitted that the petitioner along with his family is residing on the first floor of the same house, therefore, had nothing to do with Babita and her family. It is vehemently argued that custodial interrogation of the petitioner is not required and he is ready to face the proceedings, in accordance with law.

I have heard counsel for the petitioner and perused the paperbook particularly the order dated 17.03.2017 passed by this Court in regard to pre-arrest bail of Dharam Pal, father-in-law of the victim in

CRM-M No.9053 of 2017 decided on 17.03.2017.

The FIR was lodged at the behest of Sant Lal, father of deceased – Babita who has not indicted Bhushan Lal, husband of Babita in the crime. On the other hand, it has been alleged that Dharam Pal and Sanjeev had been causing beatings to Babita and on 19.02.2017, he received telephonic call from Babita at about 04:00 O' clock that father-in-law and brother-in-law had been beating her and they have turned her life into hell and those persons would kill her. Babita went missing from the house on 19.02.2017 itself and her dead body was found in Dadupur Canal.

Taking into consideration the allegations against the petitioner and father-in-law of the deceased coupled with the factum that husband of the deceased has not been accused of the offence and the fact that custodial interrogation of the petitioner would elicit as to the circumstances under which Babita was compelled to take an extreme step to eliminate herself, the petitioner does not deserve to be extended benefit of bail in anticipation of arrest.

Dismissed.

(REKHA MITTAL)
JUDGE

30.03.2017
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No