

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

**CRM No.M-9053 of 2017
Date of decision: 17.03.2017**

Dharam Pal

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Namit Khurana, Advocate
for the petitioner.

REKHA MITTAL J. (Oral)

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

Counsel for the petitioner has submitted that Babita (since deceased) was married to Bhushan Lal son of the petitioner in the year 2005. Babita went missing from the house and Bhushan Lal lodged FIR No.220 dated 20.02.2017 with Police Station City Jagadhri, District Yamuna Nagar for offence under Section 365 IPC. Later, dead body of Babita was found in Dadupur Canal. The father of the deceased lodged an FIR by concocting a story that Babita was being physically tortured by giving beatings by Dharam Pal, her father-in-law and Sanjeev, younger brother of Bhushan Lal married to younger daughter of the complainant namely Pooja. It has further been argued that even if the allegations raised in the FIR are taken on its face value, the same do not

constitute an offence of abetment of suicide by the deceased. The last submission made by counsel is that the petitioner is ready to join investigation and co-operate throughout.

I have heard counsel for the petitioner and perused the paperbook.

The FIR has been lodged at the behest of Santlal, father of deceased – Babita who has not indicted Bhushan Lal, husband of Babita in the crime. On the contrary, it has been alleged that Dharam Pal and Sanjeev had been causing beating to Babita and on 19.02.2017, the complainant received telephonic call from Babita at about 04:00 O' clock that her 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.

Custodial interrogation of the petitioner would elicit as to the circumstances under which Babita was compelled to take extreme step to eliminate herself. Under the circumstances, the petitioner does not deserve to be extended benefit of bail in anticipation of arrest, a concession to be allowed in case a false case has been registered due to political vendetta or any other similar cause.

Dismissed.

(REKHA MITTAL)
JUDGE

17.03.2017
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No