

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

Crl. Misc. No. M-19553 of 2018

Date of decision : 21.05.2018

Singh Ram

... Petitioner

versus

State of Haryana

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. Avinash Mandla, Advocate
for petitioner.**

**Ms. Mahima Yashpal, AAG Haryana assisted by
ASI Navtej Singh.**

**Ms. Harmanpreet Kaur, Advocate
for the complainant.**

ANITA CHAUDHRY, J.

The petitioner is seeking anticipatory bail in FIR No. 76 dated 01.04.2018, registered under Sections 305 IPC and Section 12 of the Protection of Children from Sexual Offence Act, 2012 (for brevity, POCSO), Police Station Sadar, Ambala.

The FIR was registered on the statement of Surjit Singh on the allegations that the petitioner got prepared a photograph of her daughter with a villager. On coming to know that the petitioner was showing the photograph to the villagers, his daughter committed suicide by consuming some poisonous substance. It was further alleged that Sunheri wife of the petitioner had also shown the photograph to the villagers.

I have heard learned counsel for the parties and perused the paper-book.

Learned counsel submits that the custodial interrogation of the petitioner is not required and Sunheri Devi has been granted interim bail by this Court and she has been allowed to join investigation. According to him, the petitioner is entitled to anticipatory bail on the ground of parity. He has pointed out that Sunheri is not the wife of the petitioner but is his sister-in-law.

On the other hand, learned State counsel and counsel for the complainant opposed the prayer. According to them, the petitioner had abetted the suicide and custodial interrogation is necessary to find how the photograph was prepared.

As per allegations, the petitioner got the photograph of the deceased prepared showing her with one villager. Custodial interrogation would be necessary to find the involvement of all who were involved.

It has been brought to the notice that Sunheri is not the wife of the petitioner but is his sister-in-law. Her husband has died and she is stated to be living with the petitioner. Her role is also to be ascertained. The petitioner cannot claim parity with her.

Four more cases are pending against the petitioner. A case has been registered against him on the orders of the CJM for forging documents furnished along with the bail bonds. The allegations are serious. No case for anticipatory bail is made out.

The petition is dismissed.

May 21, 2018
Jiten

(ANITA CHAUDHRY)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether reportable

Yes/ No