

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

CRM-M-30328-2018

Date of decision:-5.10.2018

Luxmi

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR.JUSTICE H.S.MADAAN**

Present: Mr.Roopam Aggarwal, Advocate  
for the petitioners.

Mr.Rakeshinder Singh Sidhu, AAG, Punjab.

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**H.S. MADAAN, J.**

The instant petition under Section 438 Cr.P.C. for pre-arrest bail has been filed by petitioner – Luxmi, an accused in FIR No.135 dated 10.5.2016, under Section 306 IPC, registered at Police Station Basti Jodhewal, District Ludhiana.

Briefly stated, the facts of the case, as per the prosecution story are that the matrimonial alliance of deceased Poonam Rani with Jagroop Singh was got arranged by petitioner Luxmi, who represented to deceased Poonam Rani that Jagroop Singh was a Non-Resident Indian owning agricultural land and other properties. It was a second marriage for Poonam Rani, who was aged about 29 years at the time of her death.

Subsequently, Poonam Rani deceased found that Luxmi had

misrepresented regarding the status and properties of Jagroop Singh. The deceased felt frustrated and ended her life by committing suicide. She left behind a suicide note naming the petitioner to be the person responsible for her death. Formal FIR was registered. The proceedings for declaring the petitioner/accused as a proclaimed offender were going on.

Apprehending her arrest in this case, the petitioner has approached the Court of Sessions for grant of pre-arrest bail but her such application was declined by learned Additional Sessions Judge, Ludhiana vide order dated 21.9.2017. Feeling aggrieved, she has approached this Court for grant of the similar relief.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Pre arrest bail is a discretionary relief and is to be granted in exceptional cases and not in routine. It is meant to save the innocent persons from harassment and inconvenience and not to screen the culprits from custodial interrogation.

The deceased has mentioned name of petitioner to be the person responsible for her taking the extreme step of ending her life by committing suicide.

In case of *State represented by the C.B.I. Versus Anil Sharma, 1997(4) R.C.R.(Criminal) 268*, Hon'ble Apex Court had observed that custodial interrogation is qualitatively more elicitation orientated than questioning a suspect who is on anticipatory bail, in a case like this interrogation of suspected person is of tremendous advantage in getting useful informations.

Custodial interrogation of the petitioner is definitely required

for complete and effective investigation to find out as to how and under what circumstances, she had made representations and furnished false information to the deceased regarding status and properties of Jagroop Singh. In case custodial interrogation of the petitioners is denied to the investigating agency, that would leave many loose ends and gaps in the investigation affecting the investigation being carried out adversely which is not called for.

Thus finding no merit in the petition, the same stands dismissed.

5.10.2018  
Brij

**(H.S.MADAAN)**  
**JUDGE**

**Whether reasoned/speaking : Yes/No**

**Whether reportable : Yes/No**