

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-30629 of 2018

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Date of decision:13.8.2018

Ruchi Arora

.....Petitioner

v.

State of Haryana

.....Respondent

....

Present: Mr. Ravi Chaudhary, Advocate for the petitioner.

Mr. Sukhdeep Parmar, Deputy Advocate General, Haryana for
the respondent-State.

Mr. Amit Goyal, Advocate for the complainant.

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Inderjit Singh, J.

This second petition has been filed under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.0167 dated 29.6.2018
registered for the offence under Section 306 IPC at Police Station
Chandimandir, District Panchkula.

Notice of motion was issued in this case.

Mr. Sukhdeep Parmar, learned Deputy Advocate General,
Haryana has appeared on behalf of the respondent-State and Mr. Amit
Goyal, learned Advocate has appeared for the complainant and contested
this petition.

I have heard learned counsel for the parties as well as learned
State counsel and have gone through the record.

As per the allegations in the FIR, husband of the present petitioner, namely, Vikram Arora had tried to commit suicide on 29.5.2018. He was admitted in the hospital. He died after one month on 29.6.2018 during treatment. As per the medical record, the death was due to cardiac arrest. No report has so far been received regarding taking of any poisonous substance. A perusal of the FIR shows that the father-in-law of the petitioner stated in his application to the Police that he had, on the basis of suspicion, informed the doctor that his son had taken some poisonous substance, whereas the wife of the deceased i.e. present petitioner has stated that Vikram Arora tried to commit suicide by hanging.

A perusal of the FIR nowhere shows that any immediate abetment was given by the present petitioner. Rather, the present petitioner brought Vikram Arora to his parents' house i.e. complainant's house.

The present petitioner has already joined the investigation. As stated she is not required for any custodial interrogation. Nothing is required to be recovered from her. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 23.7.2018 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

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However, nothing stated above will constitute my opinion on the merits of the case.

August 13, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No