

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

Crl. Misc. No.M-41175 of 2017

Date of decision : 19.01.2018

Angrej Singh @ Kaka

.....Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. SPS Sidhu, Advocate
for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

Mr. Manoj Kumar, Advocate
for the complainant.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No.233 dated 25.12.2016, registered under Sections 304-B IPC, Police Station Sadar Khanna, Police District Khanna, District Ludhiana.

The marriage of the petitioner took place in January 2016. His wife committed suicide in the parents' house on 24.12.2016. The police has filed the challan. The petitioner is in custody since 10.02.2017.

The counsel for the petitioner contends that the girl side did not inform that the deceased was suffering from blood cancer and she had fever for over two months and was taken to PGI, Chandigarh in July 2016 and they have placed the report to show that she remained admitted. The counsel submits that the girl had returned to her parents' house on 18.12.2016 and she committed suicide on 24.12.2016. The counsel further submits that they had made some inquiries regarding the disease and it was Stage IV of cancer

and there was no cure for this condition and the risk factor was very high
and there is no allegation of abetment or instigation.

The complainant side and the State have opposed the bail application and it has been urged that the deceased had left behind a suicide note and had named the husband and the in-laws and there was demand of dowry and the incident had taken place within a year of marriage.

The petitioner side have alleged that they were not told that the girl was suffering from blood cancer. They have placed on record the record of treatment in PGI. It shows that for two months the deceased was suffering from fever and thereafter she remained in PGI for one month. She returned to her parents' house on 18.12.2016 and thereafter committed suicide. The State claims that the FSL report has been received and the writing was that of the deceased.

It is for the trial Court to examine whether the case would fall under Section 107 of the IPC.

The trial will take time to conclude. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal and surety bonds to the satisfaction of trial Court/Duty Magistrate.

19.01.2018

sunil

(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No