

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

**Crl. Misc. M-43214-2018 (O&M)
Date of Decision: 22.11.2018**

Sudha Ralhan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Bipan Ghai, Sr. Advocate with
Mr. Vishavjit S.Virk, Advocate,
for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

Mr. Vivek K.Thakur, Advocate,
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No. 192 under Section 306 of the Indian Penal Code, registered at Police Station Sarabha Nagar, Ludhiana.

Learned senior counsel for the petitioner inter alia contends that the allegation under Section 306 IPC would not be made out on account of the fact that the deceased committed suicide while residing in her maternal uncle's home at Ludhiana and she came there on 19.07.2018. It is contended that the petitioner is on anticipatory bail in proceedings that had

been initiated under Section 498-A IPC at Gurugram. He further submits that the petitioner has joined the investigation.

Learned counsel appearing on behalf of the complainant and the learned counsel appearing on behalf of the respondent-State opposed the bail on the ground that deceased had suffered harassment at the hands of the husband and the petitioner herein for over 21 years and in fact there is medical record to show that she has suffered injuries as well. However, the State counsel has not disputed the fact that that petitioner has joined the investigation and she is not required for the custodial interrogation. .

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 01.10.2018 granting interim bail to the petitioner is made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i) (ii) and (iii) of the Code of Criminal Procedure.

22.11.2018

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes
Yes/No