

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

**CRM-M-45071-2018
Date of decision: 16.10.2018**

Priyanka Thakur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sandeep Gahlawat, Advocate
for the petitioner.

Mr. Naveen Sheoran, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 219 dated 05.09.2016, registered under Section 306 IPC at Police Station Chandi Mandir, District Panchkula.

Learned counsel for the petitioner submits that the marriage of the petitioner was performed on 05.02.2016 with Rohit Rana (since deceased), who committed suicide on 04.09.2016.

Learned counsel for the petitioner further submits that subsequent to the death of husband of the petitioner, a male child was born on 03.11.2016 and he was living with the petitioner and since there is no one in the family of the petitioner, even the minor child is with the petitioner who is in judicial custody. Learned counsel for the petitioner has referred to suicide note which reads as under:

**“I, Rohit Rana having been harassed by my in-laws
have been taking this extreme step, my mother-in-**

law, her brother-in-law (Devar), jeth and her brother having been blackmailing me continuously that I by leaving my parents should live in my-laws; and should not give maintenance to my parents, rather I should give my full salary to my mother-in-law; in case, I do not do so, then they would level allegations against me of dowry, assault and theft. I can neither leave my parents nor I could let them land in trouble due to myself. My mother-in-law while flaunting her political access threatens me persistently. According to them Dr. Daljit Singh Cheema, Chandumajra and Madam Kang are with them; who would help them in putting me behind the bars, in case, I do not leave my parents. As such, I in order to save my parents, have been taking this step. The evidence regarding this fact is in the recordings of my phone. I want that neither my wife nor any relative of in-laws be shown my face after my death.”

Learned counsel for the petitioner further submitted that after the death of the husband of the petitioner, since the petitioner has started claiming her share and lodged claim with regard to pensionary benefits, the complainant/father-in-law of the petitioner filed ***CRM-M-17381-2017*** praying for issuance of directions to the official respondents for proper investigation in the present FIR. It is further submitted that during the pendency of the aforesaid petition, the petitioner, her mother and two of petitioner's paternal uncles were arrested and thereafter the aforesaid petition was rendered infructuous, vide order dated 03.10.2018.

Learned counsel for the petitioner further submitted that the petitioner had claimed pensionary benefits and the Army authorities, after conducting the necessary inquiry, have decided to grant pensionary benefits

to the petitioner and her minor son.

In reply, learned State counsel, on instructions from SI Jai Singh, has referred to information, received from the Army authorities, to submit that even an inquiry was conducted by them that the deceased was not suffering from any depression and he was hale and healthy.

Learned State, on instructions, further submitted that it has been decided by the Army authorities that 35% of the pensionary benefits would be paid to the parents of the deceased and 65% to the petitioner and her minor son.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the facts that the petitioner is in judicial custody since 12.09.2018 and the minor son is also with her in custody and also in view of the fact that arrest of the petitioner was effected after a period of two years from the date of registration of the FIR in question, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that if at a subsequent stage, the petitioner is required for further investigation, she will join the investigation after receiving a notice from the Investigating Officer in this regard.

October 16, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No