

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

207

CRM-M-10892-2019 (O&M)
Date of Decision : 25.3.2019

Rekha

....Petitioner

vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. S.K.Verma, Advocate
for the petitioner.

Dr. Sushil Gautam, DAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case FIR No. 0006 dated 09.1.2019 registered under Section 306 IPC at PS Julana, District Jind.

The allegations against the petitioner are that she pressurized her father-in-law by making false complaint against him and also used to harass him so much that he committed suicide and named her specifically in the suicide note.

Learned counsel has argued that firstly the first issue is whether the allegations levelled by the petitioner against her father-in-law were true or false and the second issue would be whether while making those allegations the petitioner intended or had the knowledge that Baru Ram would commit suicide and till these two hurdles are crossed by the prosecution the offence under Section 306 IPC cannot be attracted.

Learned DAG has argued that allegations made by the petitioner against her father-in-law were salacious in nature and the father-in-law specifically named the petitioner has been responsible for his death.

Be that as it may. Without commenting on merits of the case, I do not deem it appropriate to deny the petitioner concession of anticipatory bail. The petition is allowed. In the event of arrest she will be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438 (2) Cr.P.C. The petitioner is directed to appear before the Investigating Officer on 28.3.2019 and as and when her presence is required.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

25.3.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No