

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-17581-2019 (O&M)
Date of Decision:-28.8.2019

Ruchi Gupta and another ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Jasneet Mehra, Advocate for the petitioners.

Ms. Rashmi Attri, Assistant Advocate General, Punjab,
assisted by ASI Rajesh Kumar.

GURVINDER SINGH GILL, J.

1. The petitioners Ruchi Gupta and Saurab Gupta @ Mohan Lal have approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.115 dated 20.4.2018 at Police Station 'A' Division, Amritsar, District Amritsar under Sections 306 and 34 of Indian Penal Code.
2. The FIR was registered at the instance of Rama Kumari, wherein it has been alleged that her daughter Neetu Bala was married to Gaurav around 11 years back and two children were born out of the wedlock. Neetu Bala's husband was doing the business of 'DJ' and usually came late at night being drunk. It is alleged that her daughter's brother-in-law (jeth) namely Mohan Lal and sister-in-law (jethani) namely Ruchi used to live on the first floor of the same house where the Neetu was residing and they used to interfere in her matrimonial home and used to harass Neetu for bringing more dowry. It is

stated therein that Neetu, however, did not disclose about her harassment earlier. It is alleged that the in-laws family of Neetu including the brother-in-law and sister-in-law killed her daughter Neetu on 20.9.2017 by poisoning her and by strangulating her, although the accused informed the complainant that Neetu had died due to heart attack.

3. The learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in the present case and that vague allegations have been levelled regarding demand of dowry and harassment simply in order to pressurize the petitioners and to extort money from them.
4. Opposing the petition, the learned State counsel has submitted that there are specific and categoric allegations against the accused and that in these circumstances, the petitioners do not deserve the concession of bail.
5. I have considered rival submissions addressed before this Court.
6. A perusal of the FIR would show that the petitioners were residing separately on the first floor of the house where the complainant's daughter Neetu was residing. A perusal of the FIR would further show that it is a case of vague allegations of demand of dowry and harassment and there is no specific demand mentioned in the FIR. Nor is any such conduct on the part of the accused forthcoming, which can be said to be sufficient enough to constitute abetment to commit suicide.
7. Having regard to the facts and circumstances of the case and the fact that the petitioners have already joined investigation, this Court does not find the present case to be a case warranting custodial interrogation. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 23.4.2019 are hereby made absolute subject to the condition that the

petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

8. It is, however, made clear that none of the observations made above shall be construed to be an expression on merits of the main case.
9. The present petition stands accepted accordingly.

28.8.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No