

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

CRM-M-20937-2019 (O&M)

Date of decision:26.8.2019

VICKY

....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Jagjit Singh Bedi, Senior Advocate with
Mr. Sunil Sihag, Advocate
for the petitioner.

Mr. Ashok Singh Choudhary, Addl. A.G., Haryana.

GURVINDER SINGH GILL, J. (ORAL)

CRM-25319-2019

In view of the reasons mentioned in the application, the same is allowed and documents Annexure P-3 to Annexure P-5 are taken on record subject to all just exceptions.

Main Case

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.132 dated 3.4.2019 under Sections 306/34 of the Indian Penal Code, Police Station Gannaur, District Sonapat.
2. The FIR was registered at the instance of Dilbagh Singh father of deceased Pinky wherein it had been alleged that complainant's daughter namely Pinky was married to petitioner on 21.3.2005 and that he had

given dowry as per their demands. It is alleged that the petitioner along with her mother-in-law Santosh, sister-in-law Pinky w/o Satpal and father-in-law Randhir Singh, however used to demand more dowry and used to give beatings to her and used to torture her and although he tried to reason out with them but to no avail. It is alleged that the petitioner had come home on leave on Holi but even during the said period he tortured his daughter and ultimately she committed suicide.

3. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that vague allegations of harassment has been levelled whereas in fact the facts would suggest that the petitioner and other members of his family were very considerate and were taking proper care of the deceased. The learned counsel in this context has referred to a bank statement placed on record as Annexure P-4 to contend that in fact the petitioner had transferred an amount of ₹1.74 lakhs in the bank account of the deceased during the period 14.2.2017 to 3.8.2018 and even the petitioner's father had also transferred an amount of ₹5.60 lakhs in the account of the deceased during the period 12.4.2017 to 20.5.2017. It has been submitted that the said amount was in fact deposited to enable the deceased to buy a plot which was bought vide sale deed dated 20.3.2017 (Annexure P-3). Learned counsel has further submitted that the deceased had allegedly committed suicide 3 days after the petitioner went back to his unit where he was serving in the Army and that in these circumstances there is nothing on record to show that the petitioner had committed any act which could be said to constitute abetment resulting in suicide by the deceased.

4. Opposing the petition learned State counsel has submitted that since the petitioner is specifically named in the FIR, no case for grant of anticipatory bail is made out. It has however been informed that the petitioner has since joined investigation.
5. Having regard to the facts and circumstances of the case, more particularly the fact that the petitioner after availing leave had gone back to his unit on 31.3.2019 and it was 3 days thereafter the deceased committed suicide and while also noticing that it is a case where petitioner and his father had been transferring amount in the bank account of the deceased, it would be debatable as to whether it was on account of any abetment on the part of the petitioner that deceased committed suicide. In any case, the present case is not such which would warrant custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide dated 8.5.2019 by this Court are hereby made absolute subject to the condition that the petitioner would appear before Investigating Officer 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.
6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

(GURVINDER SINGH GILL)
JUDGE

26.8.2019
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No