

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

CRM-M-47343-2018

Date of decision:21.8.2019

SHUBAM

....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Parminder Singh, Advocate
for the petitioner.

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

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.816 dated 29.9.2018 under Sections 306, 34 IPC, Police Station Karnal Civil Lines, District Karnal.
2. The FIR was lodged at the instance of Jagminder Singh brother of deceased Mandeep. It has been alleged that complainant's sister Mandeep aged 29 years had studied upto B.Com. and was taking coaching from a coaching center since last 3-4 years. It is alleged that Mandeep was having affair with petitioner Shubam since last 3-4 years. It is further alleged that on 29.8.2018 when complainant's sister Mandeep along with her mother Jasbir Kaur went to the house of Shubam to discuss matrimonial alliance, then Subham's father flatly refused for the same and stated that they would not accept matrimonial match as the deceased was blackish in complexion. Later, even the petitioner Shubham refused to

marry the complainant's sister. It is further alleged that on account of said refusal, Mandeep committed suicide by hanging herself from a ceiling fan.

3. Learned counsel for the petitioner has submitted that deceased was a mature lady aged 29 years and was well educated and that the fact that Shubam's father had not accepted the proposal for matrimonial alliance or that the petitioner refused to marry the complainant's sister cannot be said to be a ground sufficient enough to prompt a reasonable thinking person to commit suicide.
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 further informed that pursuant to interim directions, the petitioner has since joined investigation.
5. Having regard to the facts and circumstances of the case and without making any expression on the merits of the case and while noticing that that petitioner has already joined investigation, this Court does not find it to be a case of custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide dated 14.11.2018 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.

(GURVINDER SINGH GILL)
JUDGE

21.8.2019
Gaurav Sorot