

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-35480 of 2019
Date of Decision: 28.11.2019

Rekha

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Atul Dhankhar, Advocate
for the petitioner.

Mr. Munish Sharma, AAG Haryana.

Mr. Vineet Chaudhary, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.251 dated 26.07.2019 registered for offences punishable under Sections 306, 506 read with Section 34 of Indian Penal Code, at Police Station Bawani Khera, District Bhiwani.

Heard.

Learned State counsel on instructions from ASI Laljeet Singh submits that the petitioner has joined the investigation and her custodial interrogation is no more required for the purpose of further investigation of the case.

Learned counsel for the complainant has argued that father of complainant has committed suicide because of threats given by petitioner to him. Even after registration of this FIR, another FIR has been registered against the petitioner for giving threats to family of complainant.

Father of complainant committed suicide by consuming Sulphas and it will be a matter for the trial Court to ascertain on the basis of evidence produced before it as to whether on the allegations as levelled by the complainant any case of abetment to deceased to commit suicide is made out. The police as per submission of learned State counsel does not require custodial interrogation of the petitioner for the purpose of further investigation of the case.

Keeping in view above facts but without expressing any opinion on the merits of the case, this petition is allowed and order dated 29.08.2019 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make herself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against her so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

November 28, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No