

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

CRM-M-41155-2019
Date of decision:28.11.2019

SUNIL

....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Rajesh Lamba, Advocate
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks grant of anticipatory bail in respect of FIR No.643 dated 22.8.2019 registered under Sections 306 IPC, Police Station Sadar Palwal, District Palwal.
2. Mr. Kuldeep Attri, Advocate has put in appearance on behalf of the complainant and has filed power of attorney, which is taken on record.
3. The FIR was registered at the instance of Bhagat Singh wherein it has been alleged that his wife namely Rekha (deceased) had been having relations with Sunil-petitioner since the last about 7 years. However about 20 days back there was some dispute between his wife and Sunil due to which she remained under some tension. It is alleged that his wife stayed at the house of Sunil from 1st August to 3rd August and thereafter his wife was sent back by Sunil while holding out some

promise/assurance but he does not know about the same. His wife informed him that Sunil has destroyed her life and that she will not pardon him and that Sunil had been doing like this since last about 7 years but now did not want to keep her. It is alleged that Rekha, on account of harassment met out to her had consumed poison and had ended her life.

4. Learned counsel for the petitioner has submitted that even a perusal of the FIR has itself shows that the deceased was having some kind of relations with the petitioner but there is nothing to suggest that the petitioner has forced her into anything or had threatened her in any manner or that he had held out any false promise to her.
5. Learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in the present case simply to pressurize and extract some money from him.
6. Opposing the petition, learned State counsel has submitted that since it is a case where the deceased had been forced to commit suicide on account of conduct of the petitioner in not having kept his promise and having harassed the deceased, no case for grant of anticipatory bail is made out.
7. Having considered rival contentions addressed before this Court and while noticing that the contents of the FIR may not be sufficient to establish the necessary ingredients of “abetment to commit suicide”, to my mind it is not a case which would warrant custodial interrogation. Accordingly the petition is accepted and the interim directions issued vide dated 25.9.2019 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.

8. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

28.11.2019
Gaurav Sorot

(GURVINDER SINGH GILL)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No