

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

CRM-M-49152-2019

Date of decision:22.11.2019

SAVITA @ MANU

....Petitioner

Versus

STATE OF HARYANA

.....Respondent

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Ashish Grewal, 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.110 dated 3.9.2019 under Sections 306, 376, 370, 328, 366, 385, 341, 216, 406, 120-B IPC, Police Station Jathlana, District Yamuna Nagar, Haryana.
2. The FIR was registered at the instance of Rajesh Kumar wherein it has been alleged that his daughter Neha was married to Dalip Kumar in the year 2016. Her daughter was, however, tortured by her mother-in-law and mother-in-law's sister for not being able to bear a child. Neha disclosed about the same to her friend in the village namely Savita @ Manu, who assured her that she would get her divorced and will also find a job for her. It is alleged that on 10.5.2019 Savita sent Neha to the Courts at Jagadhari along with Parduman and Manoj where they met Surinder and

Rajesh who took Neha in a car got her signatures affixed on some blank papers while stating her that the same were divorce papers. It is alleged that the said persons administered something in juice and gave the same to Neha at Jagadhari and while she was in a state of intoxication, she was taken to Baddi by Manoj where her photograph and video was prepared in an attempt to blackmail her. It is alleged that on 12.5.2019, Manoj took Neha to Lucknow via Delhi and Kanpur and established physical relations with her and started torturing Neha. It is alleged that on 25.7.2019, Manoj along with Neha reached Jagadhari railway station where they met Surinder @ Kala and Rajesh. It is alleged that Surinder @ Kala took them to the house of his relative in his car and later on 26.7.2019, statement of Neha was got recorded in the Court. It is alleged that later Neha disclosed to the complainant that her statement had been recorded under the pressure of her photographs. It is further alleged that on 26.7.2019, S.I. Chanderpal, Head Constable Nirmal Singh took them to Khajuri where she was taken to the house of Sanju. It is alleged that Sanju and his wife forced Neha into prostitution and also got her signatures forcibly on some blank papers. Later on, the victim managed to reach the office of Superintendent of Police on 13.8.2019 and submitted a written representation and that her statement was also recorded in the presence of women police on 19.8.2019. It is alleged that on 2.9.2019 when complainant's daughter Neha visited the police station in reference to her representation, she was very upset and having been tortured by Manoj Kumar, Surinder @ Kala, Rajesh, Parduman, Surita @ Manu, Sanju and Paramjit, she consumed some intoxicating substance resulting in her

death.

3. Learned counsel for the petitioner has submitted that a false FIR has been lodged wherein a large number of persons have been nominated as accused. It has been submitted that even as per the FIR the only allegation levelled against the petitioner is that when the deceased, being friend of the petitioner, disclosed to the petitioner about the torture being met out to her by her mother-in-law and sister of mother-in-law, the petitioner is stated to have assured the deceased that she would get her divorced and will also find a job for her and had sent her to Courts at Jagadhari along with Parduman and Manoj. Learned counsel has further submitted that apart sending the deceased to the Courts at Jagadhari, there is no overt act attributed to the petitioner in the FIR. A prayer has thus been made for grant of anticipatory bail.
4. Opposing the petition, the learned State counsel has submitted that since it was pursuant to the petitioner having sent the deceased to the Courts at Jagadhari along with Parduman & Manoj and who was later forced into prostitution which ultimately led her to commit suicide, no case for grant of anticipatory bail is made out.
5. I have considered the rival submissions addressed before this Court. Having regard to the facts and circumstances of the case and bearing in mind the role attributed to the petitioner, this Court does not find the present case where custodial interrogation is warranted.
6. The petition, as such, is accepted that the petitioner in the event of her arrest shall be released on interim bail subject to her furnishing personal

bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

(GURVINDER SINGH GILL)
JUDGE

22.11.2019
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No