

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.103

CRM-M-11985-2020
Date of decision : 05.05.2020

Reena Devi

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Rohit Sud, Advocate, for the petitioner.
 Mr.Deepak Sabharwal, Addl.A.G., Haryana.

DEEPAK SIBAL, J.

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.102, dated 02.04.2020, registered under Section 306 IPC (initially registered under Section 346 IPC), at Police Station Madhuban, District Karnal.

The aforesaid FIR was registered on 02.04.2020 on a complaint by Priya Datta wife of Harsh Datta (deceased) that her husband was missing since the evening of 01.04.2020. Initially, a case under Section 346 IPC was registered. Thereafter the police recovered the dead body of Harsh Datta. After postmortem, the dead body was handed over to his family for cremation. During the course of investigation the complainant produced a video clip in which before ending his own life the deceased had held the petitioner responsible for his death. In view of this evidence the FIR was now registered under Section 306 IPC.

Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the matter; the petitioner being a lady is entitled to the concession of anticipatory bail; the deceased committed suicide as he was mentally unstable/depressed since he was suffering from cancer and that the authenticity of the video clipping on which the entire case was based was yet to be verified.

On the other hand, learned State counsel submitted that the deceased was having an extra marital affair with the petitioner and for this reason the

petitioner was blackmailing/harassing the petitioner; investigations done till date had revealed transfer of about Rs.4.50 lakhs by the deceased to the petitioner/her mother and that due to the seriousness of the case the petitioner's custodial interrogation was required by the investigating agency. Learned State counsel also produced the afore referred video clipping in which the deceased, before his death, had specifically attributed his death to the blackmailing and harassment by the petitioner.

The allegations against the petitioner are extremely serious. In the video clipping the deceased, just before ending his life, has categorically stated that his death is attributed to the petitioner's blackmailing and harassment. He has held the petitioner to be solely responsible for him to end his life. In the video clipping, after giving he password of his phone, the deceased has also referred to certain other video clippings in his phone which, according to him, show as to how the petitioner had been harassing the deceased. The investigating agency has also found evidence with regard to transfer of lakhs of rupees by the deceased to the petitioner and her mother.

For investigation into the above allegations this Court is of the opinion that custodial interrogation of the petitioner is necessary. Therefore, the petitioner does not deserve the concession of anticipatory bail.

Dismissed.

05.05.2020

shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No