

SHIVANI GUPTA
2020.08.11 14:13

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

Crl. Misc. M-16346 of 2020
Date of decision: 10.08.2020

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Ompati

....Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Pawan Hooda, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

(Proceedings are conducted through video
conferencing as per instructions).

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks anticipatory bail in FIR No. 178 dated 28.05.2020 under Sections 304-B/34 IPC, lateron converted into Section 306 IPC, P.S. Matlauda, District Panipat.

On 24.06.2020, the following order was passed:-

“Briefly the FIR No. 178 dated 28.5.2020 registered under Section 304-B/34 of IPC, lateron converted into Section 306 of IPC at Police Station Matlauda, District Panipat has been registered on the allegations that marriage of Meena, daughter of Prem Chand (complainant) was solemnized with Deepak, co-accused about 8-9 years ago. The petitioner is the mother of Deepak and both of them used to give beatings to Meena on account of dowry. On 28.5.2020, Deepak called Pardeep, son of the complainant and informed that Meena (deceased) has consumed poisonous substance and is admitted in hospital. When the complainant reached the hospital, his daughter had already expired.

It has been stated that at the earlier instance case was registered under Section 304-B IPC but keeping in view the fact that the marriage was solemnized about 8-9 years ago, the offence was altered to 306 IPC.

It has further been stated that petitioner is aged about 70 years and is residing separately with her other son Vikas after death of her husband. There may be some dispute between husband and wife which might have forced the deceased to commit suicide. Even the report of chemical examiner has not yet been received.

Notice of motion for 10.8.2020.

Ms. Dimple Jain, AAG Haryana accepts notice on behalf of the respondent-State. Copy of the paper-book be supplied to her during the course of the day through e-mail.

Meanwhile, it is directed that in the event of arrest, the petitioner be admitted on interim bail on furnishing bail bonds to the satisfaction of the Arresting Officer subject to the condition that she join the investigation and comply with other conditions as specified under Section 438(2) Cr.P.C.

Counsel for the petitioner submits that the petitioner has joined investigation.

The said fact is vouched for by counsel for the State, on instructions from S.I. Ravinder. It is submitted that the petitioner is not required for further investigation.

Keeping in view the above and the fact that it would be a moot point as to whether there was any abetment as such on the part of the petitioner to constitute an offence under Section 306 IPC, the interim order dated 24.06.2020 is confirmed.

The petition stands disposed of as such.

10.08.2020
shivani

(G.S. SANDHAWALIA)
JUDGE

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