

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

(Proceedings conducted through video conferencing)

CRM-M No. 18899 of 2020(O&M)

Date of decision: 16.7.2020

Gaganpreet Kaur

....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. D.S. Gandhi, Advocate for the petitioner.

REKHA MITTAL, J.(Oral)

Gaganpreet Kaur, wife of deceased Deepak @ Deepu prays for grant of bail in anticipation of arrest in FIR No.82 dated 25.02.2020 registered at Police Station Islamabad, District Amritsar for offence punishable under Section 306 read with Section 34 of Indian Penal Code (in short 'IPC').

Counsel for the petitioner would argue that there was marital disharmony between Deepak @ Deepu and petitioner – Gaganpreet Kaur. It is further argued that petitioner had gone to her parental house at village Fatehpur and was staying there. According to counsel, no offence under Section 306 IPC is made out even if allegations in the FIR are taken on its face value. The petitioner is stated to be mother of two minor children who would be left in lurch in case she is arrested by the police. The last submission made by counsel is that the petitioner is ready to join investigation and co-operate throughout.

As per the allegations raised in the FIR, the deceased had gone to village Fatehpur for bringing back his wife (petitioner herein). The petitioner informed parental family of the deceased that Deepak was admitted to Civil Hospital, Amritsar as he consumed some poisonous substance. Deepak breathed his last while lying admitted in Civil Hospital, Amritsar. The petitioner would be the best person to reveal as to what transpired between deceased and the petitioner before the unfortunate occurrence, therefore, custodial interrogation of the petitioner is required for progress in investigation.

Consequently, petitioner is not entitled to benefit of bail in anticipation of arrest, a concession to be allowed in case a false case has been registered out of political vendetta or for extraneous considerations.

Dismissed.

JULY 16, 2020

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no