

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

CRM-M-22574-2020 (O&M)

Date of Decision: 15.10.2020

Sunita

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sandeep Kumar, Advocate for the petitioner.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.97, dated 21.06.2020, under Section 306 IPC, registered at Police Station Dakha, District Ludhiana Rural.

While issuing notice of motion, the following order was passed by this Court on 19.08.2020:

“Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks concession of anticipatory bail in case FIR No.97, dated 21.06.2020, under Section 306 IPC, registered at Police Station Dakha, District Ludhiana Rural.

Present petitioner is the mother-in-law of the deceased Monu. FIR came to be registered on the statement of Lalli i.e. mother of the deceased. Complainant asserted that Monu had got married to Sachin son of the petitioner on 28.02.2020.

However, Monu used to remain upset after marriage and had disclosed to the complainant that her husband, father-in-law, mother-in-law and brother-in-law used to suspect that she was in an illicit relationship with some other boy. It was further alleged that Monu having come back to her parental house was taken back to her matrimonial home by her in laws. The deceased then went missing from her matrimonial home and on 20.06.2020, she was found in an unconscious condition near a ground at Badhowal, Ludhiana.

Precise allegations are that the husband as also in laws family were harassing Monu and on account of which she committed suicide by taking some poisonous substance.

Counsel would argue that the allegations contained in the FIR are vague. No specific instance of harassment has been furnished. That apart, Monu did not commit suicide in the matrimonial home itself as she was missing from the same since the previous 3-4 days. Counsel contends that under such circumstances, it would be highly debatable if the offence under Section 306 IPC is made out.

Yet another categorical submission advanced by counsel and which is not rebutted by learned State counsel is that the husband of the deceased i.e. Sachin has already surrendered on 17.08.2020.

Notice of motion, returnable for 15.10.2020.

In the meanwhile, petitioner is directed to appear before Investigating Officer and to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and she shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Gursewak

Singh informs the Court that the the petitioner has since joined investigation

and is not required for any custodial interrogation.

In view of the above, petition is allowed.

Order dated 19.08.2020 passed by this Court is made absolute.

15.10.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |