

CRM-M-20195-2021(O&M)

[1]

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

**Criminal Misc. No.M-20195 of 2021(O&M)
Date of Decision: May 20, 2021**

Tripta Devi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Vishal Sharma, Advocate for the petitioner.

Mr.Ramdeep Partap, DAG, Punjab.

Mr.Ram Kumar Chauhan, Advocate
for the complainant.

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HARINDER SINGH SIDHU, J.

This is a petition filed under Section 438 Cr.P.C for grant of pre-arrest bail in case FIR No.56 dated 25.04.2021 under Sections 304-B, 498-A, 34 of the Indian Penal Code, Police Station Balachaur, District Shaheed Bhagat Singh Nagar, Punjab.

The petitioner Tripta Devi is the mother-in-law of the deceased.

The FIR was lodged by Meera Devi, mother of deceased Rekha Rani. She stated that she had solemnized the marriage of her daughter Rekha Rani (since deceased) 1½ ago with Satish Kumar son of the petitioner. After three months of marriage, in January 2020, Satish Kumar went abroad to Muscat. Rekha Rani started doing job at Guru Nanak Mission Hospital, Bhaddi Road, Balachaur. Rekha Rani and her mother-in-law (petitioner) were staying alone in the house. The deceased often told the complainant that her husband often calls her at 12 O'clock at night and uses

abusive language. The complainant consoled the deceased saying that such type of talks often take place in homes. When the deceased complained about this to the petitioner, she also supported her son. On 22.04.2021 the deceased told the complainant that the previous night her husband and her sister-in-law (nanad) who resides in Italy abused her over the phone. On 23.04.2021, the complainant and her son Rajan went to the house of the deceased and complained to the petitioner about the behaviour of Satish, but instead of making her son understand she started taunting the deceased. She also used abusive language against the complainant and her son. On 24.04.2021 at about 12.30 pm, the deceased called the complainant over phone and told her that Satish Kumar (her husband) had called her over the phone and asked her to transfer all the amount that he had sent to her which was lying in her account and go to her parental home at Pehlewal. The complainant asked her daughter to inform the petitioner about this. At about 2.30 pm, Neha, sister-in-law (*jethani*) of the deceased called the complainant and informed her that Rekha Rani (deceased) had consumed some poisonous substance and was admitted at Suri Hospital, Balachaur. Later, she breathed her last on the same day.

Ld. Counsel for the petitioner has argued that there is no specific allegation of cruelty or harassment being caused to the deceased by the petitioner. Nor is there any allegation of any demand of dowry by the petitioner. The allegations if at all are against her son, the husband of the deceased.

Opposing the petition, Ld. Counsel for the State and Ld. Counsel for the complainant have argued that after the husband of the deceased had gone to Muscat, there was no one in the house except the

deceased and the petitioner. The deceased was constantly harassed and abused by her husband over the phone. The petitioner instead of consoling and protecting the deceased sided with her son and abused the deceased. The last straw was the call of the son of the petitioner asking the deceased to transfer all the amount from her account and then go to her parents.

In this case a young woman has ended her life by consuming a poisonous substance about 1½ years after her marriage. The deceased and the petitioner were residing alone. The husband of the deceased was abroad. He constantly harassed and abused the deceased over the phone. Whenever the deceased complained to the petitioner, instead of getting sympathy and consolation she was abused and taunted by her. Even the mother and brother of the deceased were abused by the petitioner. When finally the deceased was asked by her husband to transfer all the amount from her account and leave for her parental house, she ended her life by consuming some poisonous substance. The exact circumstances which forced the deceased to take the drastic step would only be known to the petitioner.

In these circumstances no case for grant of anticipatory bail to the petitioner is made out.

Dismissed.

May 20, 2021

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(HARINDER SINGH SIDHU)
JUDGE

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No