

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

I) CRM-M-43138-2020 (O&M)

Deepali Dutta ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-2751-2021 (O&M)

Vinod Dutta and another ... Petitioners

Versus

State of Punjab ... Respondent

Date of Decision:-5.4.2021

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Vipul Aggarwal, Advocate for  
Mr. Pardeep Rajput, Advocate,  
for the petitioner in CRM-M-43138-2020.

Mr. Vivek K. Thakur, Advocate,  
for the petitioners in CRM-M-2751-2021.

Mr. Ajay Pal Singh Gill, DAG, Punjab,  
assisted by SI Narain Singh.

*(proceedings conducted through video conferencing)*

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**GURVINDER SINGH GILL, J.**(Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Deepali Dutta, Vinod Dutta and Sunita Dutta seeking grant of

anticipatory bail in respect of a case registered vide FIR No.261 dated 10.10.2020 at Police Station Division A, District Amritsar under Section 306 of Indian Penal Code.

2. At the time of issuance of notice of motion in CRM-M-43138-2020, the following order was passed on 21.12.2020:

“ Learned counsel for the petitioner has submitted that in the present case one Sarika was married to Nitin Dutta, but a few years after marriage, the aforesaid Sarika committed suicide, in respect of which her husband as well as her father-in-law and mother-in-law were nominated as accused. While the husband could not be arrested and was declared a ‘Proclaimed Offender’, the father-in-law and mother-in-law of the deceased Sarika faced trial and were held guilty and sentenced to undergo rigorous imprisonment for 7 years. The aforesaid father-in-law and mother-in-law challenged their conviction by way of filing an appeal in the High Court which stands admitted and wherein the substantive sentence of imprisonment has been ordered to remain suspended. It is alleged that after the aforesaid two accused were released on bail, the parents of the deceased Sarika being under stress committed suicide by consuming poison.

Learned counsel for the petitioner has submitted that the petitioner is sister-in-law (devrani) of deceased Sarika and she cannot possibly have any role in the alleged abetment of suicide by parents of Sarika inasmuch as in case she was to create any problem for parents of deceased, she would have done so even prior to release of Vinod Dutta (father-in-law of deceased) and Sunita Dutta (mother-in-law of deceased).

Notice of motion for 5.4.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and

cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Thereafter, when the petition on behalf of petitioners Vinod Dutta and Sunita Dutta was filed, this Court while issuing notice of motion granted them interim bail vide order dated 21.1.2021.
4. The learned State counsel, upon instructions from SI Narain Singh, has informed that pursuant to interim directions issued by this Court, the petitioners have since joined investigation and are not required for any custodial interrogation.
5. I have heard learned counsel for the petitioners as well as learned State counsel.
6. While the petitioner Deepali Dutta is sister-in-law of the deceased Sarika, the petitioners Vinod Dutta and Sunita Dutta, are father-in-law and mother-in-law of the deceased Sarika and are aged 70 years and 68 years, respectively.
7. In the FIR, no specific act has been attributed to the accused, which could be said to be constituting abetment for commission of suicide by parents of the deceased Sarika in the instant case, though, vague allegations have been levelled to the effect that the parents of the complainant Sandeep Kumar committed suicide on account of tensions/stress given by Vinod Dutta, Sunita Dutta and Nitin Dutta.
8. Having regard to the ages of the petitioners Vinod Dutta and Sunita Dutta, who are aged 70 years and 68 years, respectively, and while bearing in mind that the petitioner Sunita Dutta and Deepali Dutta are ladies and that the petitioners have since joined investigation and are not required for any custodial interrogation, both the petitions are accepted and the interim

directions issued by this Court vide orders dated 21.12.2020 and 21.1.2021 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

**5.4.2021**

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**( Gurvinder Singh Gill )  
Judge**

Whether speaking /reasoned                      Yes / No

Whether Reportable                                      Yes / No