

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1457-2022
Date of Decision: 22.04.2022

NEELAM BANSAL ... PETITIONER
V/S
STATE OF HARYANA ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. APS Deol, Senior Advocate with
Mr. Vishal R. Lamba, Advocate for the appellants.

Mr. Vikas Bhardwaj, AAG Haryana.

* * *

VIVEK PURI, J. (ORAL)

On 14.01.2022, following order was passed:

“The petitioner is seeking anticipatory bail in the case bearing FIR No.0475, dated 27.11.2021, under Sections 302 and 34 of the IPC (now offence punishable under Section 302 of the IPC stands deleted and offence punishable under Sections 306 and 498-A of the IPC added), registered at Police Station Panchkula, Station Sector-5, District Panchkula.

Briefly as per the allegations in the FIR, marriage of the deceased was solemnized with the co-accused Puneet on 27.01.2012. Earlier, the family members of in-laws were demanding car and thereafter money for bungalow. The deceased was being harassed by her husband, father-in-law and mother-in-law and about a year ago, she was turned out of the matrimonial house, some golden jewellery was given to her and thereafter she was allowed to enter the house. On 26.11.2021, the deceased made a telephonic call to wife of the complainant but her phone was snatched. On 27.11.2021 at about 7:00 P.M., the complainant was informed by his son-in-law that the deceased has committed suicide by hanging. It was alleged that the daughter of the complainant has not committed suicide but her murder has been committed.

It has been contended by learned counsel for the petitioner that the marriage was solemnized about 10 years ago and there was no complaint lodged either by the deceased or her parents at any Forum, prior to the date of occurrence. The petitioner is residing at Barnala, her son and the deceased

had shifted to Panchkula and were residing separately there. The allegations have been exaggerated to add gravity to the offence and initially the FIR was registered with regard to the offence punishable under Section 302 of the IPC but subsequently, the offence has been altered to Section 306 of the IPC. The petitioner has shifted to Panchkula, after the arrest of her son, to look after his minor child and there are general and sweeping allegations in the FIR with regard to the demand raised.

Notice of motion.

Mr. Zorawar S.Chauhan, DAG, Haryana, accepts notice on behalf of the respondent-State.

Adjourned to 22.04.2022.

In the meanwhile, the petitioner is directed to join investigation and in the event of her arrest, she shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

Learned Senior counsel for the petitioner contends that in pursuance of the interim directions issued by this Court, the petitioner has joined the investigation.

Learned State counsel, on instructions of ASI Narender has not assailed the aforesaid factual aspect of the case and has further stated that the custodial interrogation of the petitioner is not required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner. The order dated 14.01.2022 is made absolute.

The petition stands allowed.

(VIVEK PURI)
JUDGE

22.04.2022

Janki

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