

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

CRM-M-1821-2022

Date of Decision:-**28.07.2022**

RIYA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Gagandeep Grewal, Advocate
for the petitioner.

Ms. Bhavna Gupta, DAG, Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

Present petition has been filed by the petitioner for grant of anticipatory bail in case bearing FIR No.193 dated 24.11.2021 registered under Sections 306/34 IPC at Police Station Division No.5 District Jalandhar.

Counsel for the petitioner submitted that the petitioner is wife of deceased Gurdeep Singh and she is not responsible for the death of the deceased, who committed suicide. The counsel for the petitioner further submits that as per prosecution version, the deceased left behind suicide note wherein he blamed the petitioner and her mother to be responsible for his

death. The counsel for the petitioner further submits that it is a matter of evidence as to whether the alleged suicide note, which is not bearing signatures of any person was actually written by the deceased. The counsel for the petitioner further submits that the petitioner has joined the investigation with the police in the light of the interim order.

The present petition is resisted by the State counsel, who submitted that there was marital discord between the deceased and the petitioner and both petitioner and her mother used to ill-treat the deceased and being fed-up the deceased committed suicide and before doing so, he left behind suicide note. However, the State counsel on instructions from SI Tarwinder Kumar has not refuted the fact that petitioner has joined the investigation and further submits that the petitioner is not required by the police for any further investigation or for custodial interrogation and nothing remains to be recovered from the petitioner.

I have considered the submissions made by the counsel for the parties.

The FIR in the present case was registered against the petitioner and her mother Geeta on the basis of the statement of Tarlochan Singh father of deceased Gurdeep Singh alleging that Gurdeep Singh got married with the petitioner on 6.12.2020, but there was marital discord between the husband and wife and on 22.11.2021, the petitioner left the matrimonial home and thereafter Gurdeep Singh committed suicide by hanging himself from the hook of ceiling fan and before committing suicide Gurdeep Singh left behind one suicide note.

Today the State counsel on instructions from SI Tarwinder Kumar apprised the Court that the suicide note has not been sent for its examination to FSL, as the complainant has failed to provide any document bearing handwriting of the deceased, so as to get it compared with the handwriting appearing in the suicide note.

Admittedly the petitioner has joined the investigation and is not required by the police for any further investigation. Now nothing is to be recovered from the petitioner. The genuineness of the aforesaid suicide note is a matter of evidence.

In view of the above, this Court is of the view that no purpose is going to be served even if petitioner is subjected to custodial interrogation, at this stage. Thus without commenting on the merits of the case, present petition is allowed and order dated 2.2.2022 is hereby made absolute. The petitioner should abide by the conditions envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

28.07.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No