

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

CRM-M-2020-2022

Date of Decision:-**29.07.2022**

MANJEET KAUR AND ANOTHER

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Rahul Bhargava, Advocate
for the petitioners.

Ms. Samina Dhir, DAG, Punjab.

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KARAMJIT SINGH, J. (Oral)

Instant petition has been filed by the petitioners under Section 438 Cr.P.C. for grant of anticipatory bail in case having FIR No.337 dated 14.12.2021 registered under Sections 306/34 IPC at Police Station Phillaur, District Jalandhar.

Counsel for the petitioners contends that the petitioners have been falsely implicated in this case. The petitioner No.1-Manjeet Kaur is mother-in-law while petitioner No.2-Navjot Kaur is wife of deceased Jatinder Singh, who committed suicide on 13.12.2021 by consuming

poisonous tablets. The counsel for the petitioners further contends that there was matrimonial dispute between Navjot Kaur and her husband Jatinder Singh. The counsel for the petitioners further submits that actually Jatinder Singh used to harass Navjot Kaur without any reason and finally she was compelled to leave the matrimonial home and that prior to the present incident the dispute was settled and petition under Section 13-B of Hindu Marriage Act was filed jointly by the deceased and Navjot Kaur and in the said proceedings the deceased agreed that the daughter of the couple would remain in the custody of Navjot Kaur and that Jatinder Singh would transfer a plot in the name of his daughter. The counsel for the petitioners further contends that the petitioners never incited and abetted Jatinder Singh. The counsel for the petitioners further submit that the petitioners have joined investigation with the police in the light of the order of interim bail. The counsel for the petitioners further submits that now the matter has been compromised between the parties and the copy of compromise deed dated 26.7.2022 has been placed on record of the file of the connected petition.

On the other hand, the present petition is contested by the State counsel who submitted that Jatinder Singh was having matrimonial dispute with his wife Navjot Kaur and said Jatinder Singh committed suicide on 13.12.2021 and before doing so, he left behind suicide note in which he clearly blamed Navjot Kaur, Manjit Kaur, Baldev Singh, Anil Kumar and Dhanjay Kumar for his death. The State counsel further submits that petitioners have joined the investigation and on instructions from SI Baljit Singh submits that now the petitioners are not required by the police for any purpose.

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

Admittedly there was marital discord between Jatinder Singh and Navjot Kaur and they were living separately and divorcee proceedings between them were going on, when Jatinder Singh committed suicide. It is a matter of evidence as to whether the petitioners ever intended that the deceased should commit suicide. In case, the deceased was harassed or humiliated by the petitioners, he should have taken legal recourse. Further in the present case, the petitioners have already joined the investigation and now they are not required by the police for the purpose of further investigation or custodial interrogation. Also as has been stated by the counsel for the petitioners, it appears that some compromise has been effected between the parties.

In view of the above, this Court is of the view that no purpose is going to be served even if petitioners are subjected to custodial interrogation, at this stage. Thus without commenting on the merits of the case, present petition is allowed and order dated 19.1.2022 is hereby made absolute. The petitioners should abide by the conditions envisaged under Section 438(2) Cr.P.C.

29.07.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No