

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

CRM-M-3478 of 2022(O&M)

Date of Decision: 19.07.2022

Raj Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Naveen Batra, Advocate
For the petitioner.**

Ms. Samina Dhir, DAG Punjab.

**Mr. Jasraj Singh, Advocate
for the complainant.**

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in FIR No. 191 dated 19.11.2021, registered under Sections 306, 406, 420, 506 read with Section 120-B IPC, Police Station Hariana, District Hoshiarpur.

As per the allegations appearing in the FIR Sukhraj Deep Singh son of complainant Gurmail Singh was Diploma holder in Mechanical Engineering and was aged about 23 years and his parents were in search of suitable match. In January 2019 the complainant came to know about Amandeep Kaur daughter of the petitioner, who had passed IELTS and wanted to go to Canada for further education, but was unable to do so due to financial constraints. The complainant came into contact with the family of said Amandeep Kaur through Rani and it was settled between the parties that if complainant provides financial help to Amandeep Kaur to go abroad, her marriage would be performed with

Sukhraj Deep Singh and finally both of them are to settle in Canada. In February 2019 ring ceremony was performed in which the petitioner and other accused participated. Thereafter, Amandeep Kaur along with present petitioner and some other persons came to the house of complainant and asked them to pay the college fees and other expenses of Amandeep Kaur. From August 2019 onwards the complainant and other members of his family had paid about Rs.12 lakhs to Amandeep Kaur and the present petitioner on different occasions till 2021 in cash and through cheques. In August, 2019 Amandeep Kaur went to Canada and she used to talk to Sukhraj Deep Singh on phone. In the meantime, Amandeep Kaur got work permit and thereafter her behaviour towards Sukhraj Deep Singh and other members of his family started changing. Even the other family members of Amandeep Kaur started avoiding to meet them.

The accused persons started misbehaving with Sukhraj Deep Singh and Amandeep Kaur also stopped attending the phone calls of Sukhraj Deep Singh, as a result of which Sukhraj Deep Singh went into depression. Finally the petitioner and other members of her family refused to perform marriage of Amandeep Kaur with Sukhraj Deep Singh. On this, Sukhraj Deep Singh got depressed and felt humiliated as the accused persons defrauded him by taking huge amount of Rs.12 lakhs from his family and on the night intervening 18/19.11.2021 Sukhraj Deep Singh committed suicide by hanging himself. Consequently, FIR in the present case was registered.

Counsel for the petitioner submits that the petitioner has joined the investigation with the police on the basis of the order of interim bail passed by the Co-ordinate Bench of this Court dated 07.02.2022. The counsel for the petitioner further submits that the petitioner is innocent and has been falsely implicated in the present case as she is not responsible in any manner for the death of Sukhraj Deep Singh and further no money was ever received by the petitioner from complainant or other members of his family.

The State counsel on instructions from ASI Bikramjit has not disputed the fact that the petitioner has joined the investigation and further submits that now the petitioner is not required by the police for any further investigation, as on conclusion of investigation the police has presented the challan against the accused persons including the petitioner.

The counsel for the complainant while supporting the allegations made in the FIR, submits that the petitioner is responsible for the death of Sukhraj Deep Singh and she along with other members of her family defrauded the complainant, who had borne educational expenses worth more than Rs.12 lakhs of Amandeep Kaur daughter of the petitioner under the impression that finally Amandeep Kaur will perform marriage with his son Sukhraj Deep Singh, but later on Amandeep Kaur and other members of her family including petitioner back-tracked from their promise. Due to the same reason Sukhraj Deep Singh committed suicide. The counsel for the complainant further submits that the present petition deserves to be dismissed.

The petitioner has already joined the investigation. Admittedly, the challan has been presented against the petitioner and other accused by the police on completion of investigation. It is a matter of evidence as to whether the petitioner incited or abetted Sukhraj Deep Singh to commit suicide. Further also it is a matter of trial as to whether complainant or any other member of his family ever handed over any money to the petitioner which was meant for the educational expenses of her daughter Amandeep Kaur. In the given circumstances, this Court feels that at this stage when investigation has already been completed, there is no necessity to send the petitioner to police custody.

In view of the above, instant petition is allowed. Order dated 07.02.2022 granting ad interim bail to the petitioner is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

19.07.2022

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**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**