

**209 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-11150-2021
Decided on : 10.01.2022

Banarsi Dass & anr.

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Parminder Singh, Advocate
for the petitioner.

Mr. Rehat Bir Singh Mann, DAG, Punjab.

Mr. Charanpreet Singh, Advocate
for the complainant.

Manjari Nehru Kaul, J.

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioners in case FIR No.06 dated 21.01.2021 under Section 306 IPC 1860 registered at Police Station Dhakoli District SAS Nagar.

Learned counsel for the petitioners states that the deceased was the former daughter-in-law of the petitioners and had taken a panchayati divorce from the petitioners' son way back in 2006. Subsequently, the deceased had solemnized marriage with one Sandeep Kumar. While inviting the attention of this Court to the allegations levelled in the FIR in question, learned counsel has submitted that the allegations do not even obliquely attract the mischief of Section 306 IPC against the petitioners and even as per the suicide note, in the worst case scenario the allegations had been levelled against the son of the petitioners of having forcibly taken away their daughter Khushi from the custody of the deceased as a result of which she committed suicide. He further submits that pursuant to order dated

10.03.2021, passed by this Court, the petitioners had joined the investigation and cooperated with the Investigating Agency.

Learned State counsel on instructions from ASI Dharam Pal does not dispute the factum of the petitioners having joined the investigation and also the role attributed to the son of the petitioners of having allegedly forcibly taken away his daughter from the custody of the deceased. He, on further instructions states that the petitioners are not required for further investigation. Learned counsel for the complainant while opposing the prayer of the counsel opposite, however, submits that there are allegations against the petitioners of having connived with their son in abetting the suicide of the deceased.

Heard learned counsel and perused the material available on record.

In view of the instructions received by the learned State counsel that the custodial interrogation of the petitioners is not required, the petition is allowed and interim order dated 10.03.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

10.01.2022
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No