

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

205

(Through Video Conferencing)

CRM-M-29156-2021

Date of decision: 24.02.2022

Sandeep Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. P.K.S. Phoolka, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.0017 dated 08.02.2021 under Sections 306 and 34 IPC, registered at Police Station Kotwali, District Bathinda.

Learned counsel for the petitioner prays for grant of anticipatory bail to the petitioner while inter-alia arguing that marriage between the petitioner and deceased Nisha Rani was solemnized 8 years ago, out of which wedlock, three children were born who are residing with him. It is submitted that in fact the deceased and the mother of the petitioner could not get along which resulted in discord between the petitioner and the deceased and she also shifted out and started living on rented accommodation. However, since the mother of the petitioner was bed ridden, the petitioner shifted back to reside with his mother.

Deceased Nisha Rani on coming to the house created a ruckus and

assaulted the mother of the petitioner, which resulted in registration of two FIRs. It is argued that deceased Nisha Rani took her own life while residing at her sister's home and hence he could not be blamed for her death. Reliance in this regard has been made on the judgment rendered in '*Arnav Manoranjan Goswami vs. State of Maharashtra*' in Criminal Appeal No. 742 of 2020 dated 27.11.2020. Learned counsel further submits that in compliance of order dated 15.09.2021, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Gurmail Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 15.09.2021, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

24.02.2022

(MANJARI NEHRU KAUL)

Vinay

JUDGE

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