

SUMAN CHAUDHARY

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Shiv Kumar, Advocate for the petitioner.
Mr. Zorawar Singh Chauhan, DAG Haryana.
Mr. Vikas Saroha, Advocate for the complainant.

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VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No. 279 dated 18.04.2022 under Sections 304-B, 34 IPC, registered at Police Station Sector 58, Faridabad.

Reply by way of affidavit of Dalbir Singh, Assistant Commissioner of Police, Mujessar, Faridabad has been placed on record.

Briefly, the allegations levelled in the FIR are to the effect that the marriage of the deceased was solemnized with Suresh on 05.06.2021. The family members of in-laws of the deceased had been raising demand of cash and motorcycle. The deceased had died on account of consumption of some poisonous substance on 17.04.2022.

On 16.06.2022, following order was passed:

“Notice of motion.

Ms. Geeta Sharma, DAG Haryana, accepts the same and seeks time to file reply.

Considering the nature of allegations in the FIR and the fact that the petitioner is a married lady, residing separately from the family of deceased, arrest of the petitioner is stayed in the meantime. However, she will join investigation within ten days.

List on 15th July, 2022.”

Learned counsel for the petitioner states that the petitioner is the sister-in-law (Jethani) of the deceased and had been residing separate from her. The petitioner had been pursuing her studies in Jammu. Furthermore, Naresh, the husband of the petitioner along with Gyasiram, Satish and Savita, the other relatives have been absolved of the allegations, as per the contents of the reply. The petitioner has joined the investigation.

Learned State counsel, on instructions of ASI Ashok, has not assailed the aforesaid factual aspect of the case except the fact that it has not yet been ascertained as to whether the petitioner was pursuing her studies in Jammu or not. Furthermore, it has been stated that the petitioner has joined the investigation and her custodial interrogation is not required.

In these set of circumstances, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

For the aforesaid reasons, the petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner is allowed and it is directed that in the event the petitioner is arrested, she shall be released on bail on furnishing bail bonds to the satisfaction of the Arresting Officer. This order is further subject to the following conditions:

i) The petitioner shall make herself available for interrogation as and when required.

ii) The petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer.

iii) The petitioner shall not leave India without the previous permission of the Court.

15.07.2022

Janki

(VIVEK PURI)
JUDGE

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