

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

CRM-M-51957-2021

Date of Decision: 19.04.2022

KULVEER SINGH ALIAS HANERI ... PETITIONER
VS.
STATE OF PUNJAB .. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. M.K.Dhot, Advocate
 for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

VIVEK PURI, J.(ORAL)

Through instant petition, the petitioner is seeking anticipatory bail in case bearing FIR No.281 dated 11.11.2020 under Section 306 IPC, registered at Police Station City Sunam, District Sangrur.

Briefly, the FIR has been registered on the basis of statement of Rulia Singh alleging that the marriage of his daughter Sunita-deceased was solemnized with Sakha @ Soni about seven years prior to the occurrence. The deceased was having two children. On 11.11.2020, a telephonic message was received to the effect that the deceased had committed suicide by hanging herself. The deceased had told the complainant on earlier occasion that the petitioner, who is her brother-in-law, had been harassing her by visiting the house and pressuring to make illicit relationship with her. On that score, the deceased used to remain in tension. The complainant has firm belief that the deceased had committed suicide on account of harassment meted out to her by the petitioner.

Learned counsel for the petitioner contends that the FIR has been registered only on the basis of the suspicion and the petitioner was residing separate from the family of the deceased.

On the contrary, learned State counsel has opposed the application and has argued that during the course of post-mortem examination, the cause of death is stated to be asphyxia leading to respiratory arrest, leading to injuries to vital organs which were ante mortem in nature and can cause death in the ordinary course of nature. Furthermore, the human semen was detected from the vaginal swabs and DNA profile generated from the same has been preserved in the laboratory for future reference and for comparison with reference to the samples of the petitioner.

In the instant case, there are specific allegations imputed by the complainant to the effect that the petitioner, who is brother-in-law of the deceased, had been pressuring her to make illicit relations. Human semen has been detected from the vaginal swabs which indicates that the deceased was subjected to sexual intercourse prior to the occurrence. In order to ascertain as to whether the petitioner has gone further beyond to commit forcible sexual intercourse upon the deceased which prompted her to commit suicide, his custodial interrogation appears to be essential for the thorough probe and proper investigation of the case. As such, no extraordinary circumstances are made out to extend the concession of anticipatory bail to the petitioner.

Dismissed.

19.04.2022
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No