

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

107

**CRM-M-565-2022
Decided on : 10.01.2022**

Ajay @ Ajay Kumar

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Ashok Paul Batra, Advocate
for the petitioner(s).

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Kulwant Singh Dhanora, Advocate
for the complainant.

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. 46, dated 15.04.2021, lodged under Section 306 of IPC and Sections 10 & 11 of the Children Marriage Prohibition Act, 2006 (during investigation offence under Section 305 of IPC was added and Section 306 of IPC was deleted), registered at Police Station Sri Anandpur Sahib, District Rupnagar (Annexure P-1).

Learned counsel for the petitioner contends that a false and fabricated case has been planted upon the petitioner for abetting the suicide of his wife (deceased) Khushi, aged 15 years 9 months. It has been contended that his wife was infact, under depression, as she was suffering from UTI infection. He further contends that he never subjected the deceased to the alleged mental ad physical torture.

Heard.

A perusal of the FIR (annexed as Annexure P-1) reveals that the deceased was being subjected to continuous mental and physical torture. Prior to the occurrence in question as well, on a couple of occasions the deceased was subjected to physical harassment and thrown out of the house. Still further, as per the allegations levelled in the FIR, it was not a case of suicide but homicide. Admittedly, the deceased died on unnatural death within 07 years of her marriage with the petitioner. Besides this, no medical evidence has been brought forth by the petitioner *qua* the depression of the deceased.

Prima facie, there are serious allegations levelled against the petitioner. This Court is, thus, not inclined to extend the extraordinary concession of anticipatory bail to the petitioner.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

January 10, 2022

J.Ram

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