

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-18787-2022 (O&M)

Date of decision : 13.1.2023

Anchal

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Sandeep Arora, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.95 dated 21.8.2021 registered under Sections 306, 34 IPC at Police Station Cantt., Jalandhar, District Jalandhar.

As per allegations recorded in the FIR, the petitioner is the widow/ wife of deceased Abhishek @ Abhi who committed suicide by hanging himself on 21.8.2021 and for the same, the petitioner and her mother Rajni are stated to be responsible and in this regard, complaint was lodged with the police by Shammi father of the deceased. However, no suicide note was left behind by the deceased and even no dying declaration of the deceased is there on record. On the last date of hearing, the petitioner was granted interim bail and she was directed to join the investigation with the police. Today, counsel for the petitioner informed the Court that the petitioner in compliance of the previous order has joined the investigation

with the police and further submits that now the matter has been

compromised between the parties and quashing petition on the basis of the said compromise was also filed but the same was declined on the ground of its maintainability as is evident from order dated 28.3.2022 (Annexure P-5) passed by Coordinate Bench of this Court. State counsel on instructions from SI Ramesh Kumar has not refuted the aforesaid assertions made by the counsel for the petitioner. State counsel further submits that the petitioner who has joined the investigation is not required by the police for any further investigation or custodial interrogation.

It is a matter of evidence as to in what manner the petitioner abetted or incited the deceased to commit suicide. Further, as has been admitted by both the counsel, now parties have entered into compromise and the petitioner is not required by the police for any further investigation. So, no purpose is going to be served by subjecting the petitioner to custodial interrogation at this point of time.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 5.5.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

January 13, 2023
Paritosh Kumar

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