



220 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6606-2024 (O&M)
DATE OF DECISION : 20.05.2024

SUNITA RANI

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Yashdeep Nain, Advocate for the petitioner.
Ms. Jasleen Chahal, AAG, Haryana.

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HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in case bearing FIR No. 358 dated 19.11.2023 under Sections 304-B, 34 IPC (Sections 406 and 498-A added later on) registered at Police Station City Pehowa, District Kurukshetra.
2. The daughter-in-law of the petitioner is alleged to have been killed and then hanged. Before that she was allegedly tortured and harassed with financial demands.
3. Learned counsel for the petitioner *inter alia* contends that there are general allegations against the family members of the son of the petitioner. The FIR was registered on 19.11.2023 with a delay. It is further contended that the daughter-in-law of the petitioner was undergoing some medical treatment from PGI, as per Annexure P-3. The victim used to write personal notes and one of such note (Annexure P-4) has been found having the signature of the victim, as per which she has sought apology and further

stated that she would never give any threat to commit suicide in future. It has been further contended that there was some dispute *inter se* between the son of the petitioner and the victim. However, petitioner has no role to play in the matrimonial dispute.

4. On the other hand, the State while referring to the status report, has opposed the bail application and submits that no such writing (Annexure P-4) has been produced by the son of the petitioner who has already been arrested. However, it was confirmed that the date of marriage of the son of the petitioner with the victim is 04.12.2016 and the dead body of the deceased was found from the matrimonial home. The dead body was sent to LNJP Hospital, Kurukshetra for post-mortem examination. The son of the petitioner was arrested on 19.11.2023. The investigation against Abhisek, the son of the petitioner is complete and final report under Section 173 Cr.P.C. has already been presented against him.

5. Learned State counsel has further submitted that there was a daughter out of the wedlock, who was about 6 years' at the time of alleged occurrence.

6. I have considered the aforesaid submissions.

7. There are specific allegations against the petitioner in the FIR (Annexure P-1). The marriage between the son of the petitioner and the deceased-victim was solemnized on 04.12.2016. There are specific allegations that 3-4 months prior to the occurrence, the son of the petitioner had purchased 2nd hand card and as such, the petitioner and his son used to ask the victim to bring money from her parents and they used to beat her.

The death of the victim took place in the matrimonial home. Prior to that and

at the time of committing suicide, the victim was residing in her matrimonial home. As per the report of FSL, no poison was detected.

8. The petitioner has relied upon a note (Annexure P-4) alleged to be in the handwriting of the deceased-victim. There is nothing on record that the said note was produced by the husband of the deceased when he was arrested. The investigating agency has alleged that verification of the said note can be done only with the admitted handwriting of the deceased by sending this document to FSL along with the admitted handwriting for comparison. This document has been produced for the first time by the petitioner along with the present petition. Without verification of the handwriting of the said document, no inference can be drawn in favour of the petitioner on the basis of this document. The custodial interrogation of the petitioner is necessary for elucidating the material facts of this case.

9. No ground is made out for releasing the petitioner on pre-arrest bail. Consequently, keeping in view the gravity of allegations against the petitioner and also considering the fact that the deceased has left 6 years old daughter, who would be deprived of love and affection of her mother, it is not a fit case to grant pre-arrest bail to the petitioner.

10. Consequently, the present petition stands dismissed.

20.05.2024

Janki

**(HARPREET KAUR JEEWAN)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No