

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

213 CRM-M-15603-2024
Date of Decision:07.05.2024

MAMTA RANIPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Arnav Kumar, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J.(ORAL)

Reply by way of Shri Vaibhav Chaudhary, IPS, Assistant Superintendent of Police, Dera Bassi, District S.A.S. Nagar (Mohali) has been filed on behalf of the respondent-State and the same is taken on record.

On 27.03.2024, following order was passed:

“Prayer in this petition under Section 438 Cr.P.C. is for grant of anticipatory bail in case FIR No.05 dated 09.02.2024, under Section 306 IPC, registered at Police Station Handera SAS Nagar.

2. Manga Ram committed suicide on 13.08.2023. Petitioner is the wife of the deceased-Manga Ram. The present FIR has been lodged on 09.02.2024 i.e. almost 06 months after the death, by the mother of the deceased, alleging that petitioner was instrumental in abetting the deceased to commit suicide.

3. Contention of learned counsel for petitioner is that FIR has been lodged after the complaint (Annexure P-3) under various provisions of Domestic Violence Act was made by the petitioner against the complainant of the case, since she was turned out of the matrimonial home after giving beatings to her. It is further the contention that ingredients of Section 306 IPC to be read with Section 107 IPC are not made out.

4. Notice of motion.

5. Mr. G.P.S. Bhullar, AAG, Punjab accepts notice on behalf

of the respondent-State and contends on instructions from ASI Jatinder Pal that deceased had left behind the suicide note blaming the petitioner to be responsible for taking the extreme step.

6. However, learned State counsel submits that except for blaming the petitioner, no further details are given in the suicide note. Learned State counsel also informs that handwriting of the deceased on the suicide note has been confirmed by the FSL report.

7. Adjourned to 07.05.2024 for filing status report.

8. In the meantime, petitioner is directed to join investigation and co-operate in the same. She will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, she shall be released on interim bail on her furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. She shall also abide by conditions as envisaged under Section 438(2) Cr.P.C. ”

Today learned State counsel submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 27.03.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

Disposed of.

(DEEPAK GUPTA)
JUDGE

07.05.2024

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Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No