

CRM-M-21853-2024 **-1-**

2024:PHHC:077742



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

201

CRM-M-21853-2024

Date of Decision: 30.05.2024

Dharampal

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Ashish Tewatia, Advocate
for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

NIDHI GUPTA, J. (ORAL)

Prayer in the instant petition filed under Section 438 Cr.P.C.
is for grant of anticipatory bail to the petitioner in case FIR No. 538
dated 30.12.2023 registered under Sections 304-B and 498-A read with
Section 34 IPC at Police Station Chandhuth, District Palwal (Annexure P-
1).

On 02.05.2024, when this case was listed for hearing,
following order was passed by this Court:-

*“Prayer in this 1st petition filed under Section 438
Cr.P.C. is for grant of anticipatory bail to the petitioner in case
FIR No. 538 dated 30.12.2023 registered under Sections 304-B
and 498-A read with Section 34 IPC at Police Station Chandhuth,
District Palwal.*



Learned counsel for the petitioner, inter alia, submits that petitioner is the father-in-law of the deceased. It is submitted that son of the petitioner had performed love marriage with the deceased on 06.06.2023 and the date of incident is 30.12.2023, i.e. within 07 months of the marriage. Learned counsel for the petitioner admits that although, the deceased had committed suicide within 07 months of the marriage, but it is stated that the petitioner used to reside separately from the deceased in village Chaupal, near Chajju Nagar; whereas the deceased along with her husband/son of the petitioner was residing in village Nangal Bajra. The petitioner has never resided with the deceased. It is further submitted that it is a love marriage, however, family of the deceased was not happy with this alliance, therefore, she was under depression. Learned counsel submits that son of the petitioner/husband of the deceased and wife of the present petitioner (mother-in-law of deceased) are already in custody. No suicide note was recovered. Learned counsel for the petitioner also states that at the time of marriage, son of the petitioner was 18 years of age; whereas the deceased was 19-year-old. Nothing has to be recovered from the petitioner, therefore, his custodial interrogation is not required. The petitioner is ready to join the investigation as and when required and shall abide by all the terms and conditions imposed upon him.

Notice of motion.



On the asking of Court, Mr. Surinder Kumar Dagar, DAG, Haryana, accepts notice on behalf of the respondent-State.

Adjourned to 30.05.2024.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- i that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required ;*
- ii that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- iii that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.*

Meanwhile, State counsel is directed to file an affidavit/status report as to the exact role of the petitioner alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

Learned counsel for the petitioner submits that in compliance of the order dated 02.05.2024 passed by this Court, the petitioner has joined the investigation.

Status report by way of affidavit of the Deputy Superintendent of Police, Palwal, District Palwal on behalf of the respondent-State dated 27.05.2024 filed in Court today is taken on record.



On instructions from PSI Sachin, learned State counsel submits that in terms of the order passed by this Court, reproduced above, the petitioner has joined the investigation and is co-operating with the investigating agency, and no further interrogation is required, at this stage.

In view of the above, the order dated 02.05.2024 granting interim bail to the petitioner is made absolute.

However, the petitioner will abide by the conditions stipulated under Section 438(2) Cr.P.C. He will also join the investigation and cooperate with the investigating agency in case he is required for the same in future as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that the petitioner is required for the investigation but is not cooperating, he will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

30.05.2024

Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No