



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

206

CRM-M-30534-2024
Date of decision : 02.08.2024

SURESH DEVI

..... Petitioner

V/S

STATE OF HARYANA

..... Respondent

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Ashish Pundir, Advocate and Mr. Shubham Rana, Advocate
for the petitioner.

Mr. Kanwar Sanjiv Kumar, A.A.G., Haryana.

AMARJOT BHATTI J. (ORAL)

1. Petitioner Suresh Devi has filed instant petition under Section 438 Cr.P.C. seeking anticipatory bail in FIR No.53 dated 23.02.2023, under Sections 306, 34 of IPC, registered at Police Station Saha, District Ambala.
2. The facts of the case are that FIR was registered on the statement of Kamlesh Kumari sister of deceased Madan Pal s/o Jitram alleging that her brother was doing private job in a factory. He was seriously ill for the last fifteen years. On 23.02.2023 at about 8:15 AM, she received telephonic call that Madan Pal had expired. Her brother was being harassed by his sons namely Vishal and Vikas, his wife Suresh Devi, Saroj w/o Shish Pal, Karambir s/o Baljit and Rajbir and for this reason he was mentally disturbed. Her brother was given beating and they tried to strangulate him. Earlier Madan Pal had filed a complaint regarding the harassment and he had also disclosed this fact to her many times. The



complainant alleged that her brother was physically and mentally tortured by the aforesaid persons. As a result, he took this grave step of committing suicide.

3. Learned counsel for the petitioner argued that all the allegations levelled against her are false. In-fact Madan Lal was sick and suffering from various ailment. Entire family has been falsely implicated on the statement of complainant who is sister of deceased Madan Lal. There is no suicide note. Present petitioner is ready to join the investigation. Therefore, her anticipatory bail application may be allowed.

4. Learned counsel representing the State opposed the anticipatory bail application. However, it is conceded that other co-accused have been granted bail by this Court vide order dated 04.07.2024. This is a case of unnatural death. Postmortem report is Annexure R-1 and CFSL report is Annexure R-2. Present petitioner is yet to join the investigation. Considering the gravity of offence, she is not entitled to be released on bail.

5. I have considered the facts of the present case. It is matter of record that other co-accused Rajbir Singh, Saroj, Vishal and Vikas have been granted anticipatory bail vide order dated 04.07.2024. Present petitioner is the wife of late Madan Pal who committed suicide. There is admittedly no suicide note. Present petitioner is ready to join the investigation. No purpose would be served by keeping her behind the bars. Therefore, considering the facts and circumstances of the case, anticipatory bail filed by petitioner is allowed. In case petitioner is arrested, she be released on interim bail to the satisfaction of Arresting Officer/Investigating Officer subject to the condition that petitioner will join the investigation as and when required. She will not tamper with or interfere with the

investigation and will not leave the country without prior permission as provided under Section 438 (2) Cr.P.C.

6. The petition is accordingly accepted.
7. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

02.08.2024.
snd

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