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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-32322-2023

Date of decision: 10.01.2024

Rajwinder Kaur alias Rajjo

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Naresh Kumar, Advocate for the petitioner.

Mr. G.S. Sidhu, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 438 Cr.P.C seeking anticipatory bail in case having FIR No.89 dated 12.06.2023 under Sections 306, 506/34 IPC Police Station Garhshankar District Hoshiarpur.

2. The allegations in nutshell are that Sonia Devi mother in law of the petitioner reported to the police that his son Ram Parhlad aged about 25 years got married with the petitioner on 15.02.2023; that after some time relations between them became strained and petitioner went to her parental house. On 10.06.2023, she came back to her matrimonial home and demanded Rs.50,000/- from Ram Parhlad and when he refused to pay the said amount, petitioner assaulted him; that even other family members of

the petitioner also threatened Ram Parhlad. Due to aforesaid humiliation, Ram Parhlad consumed some poison and he was taken to civil hospital from where he was referred to PGI, Chandigarh where Ram Parhlad died. That petitioner, his father Jagdev Singh and brother Gaganpreet Singh compelled the deceased to end his life by committing suicide.

3. The counsel for the petitioner *inter alia* contends that the petitioner has nothing to do with the death of her husband who committed suicide. The counsel for the petitioner further contends that prior to registration of the present FIR no complaint was ever lodged by the deceased or complainant with regard to persistent harassment of the deceased by the accused persons including the petitioner. The counsel for the petitioner further submits that the petitioner has joined the investigation with the police and the alleged suicide note is already recovered and nothing remains to be recovered from the petitioner.

4. The present petition is contested by counsel for the complainant who submits that just after her marriage, the petitioner and other accused started harassing the deceased and they also demanded money from him or otherwise to falsely implicate him in some criminal case. It is further contended that the petitioner and other accused compelled the deceased to commit suicide and in this manner deceased ended his life by consuming poisonous substance but before doing so he left behind suicide note wherein he named all the accused persons including the petitioner, to be responsible for his death. The counsel for the complainant further submits that for proper investigation of the case, the custodial interrogation of the petitioner is necessary.

5. The State counsel on instructions from HC Kuldeep Singh submits that recovery of suicide note is already effected and petitioner joined the investigation in compliance with the earlier order dated 27.07.2023 and now she is not required for any further investigation or custodial interrogation by the police.

6. Apparently, nothing is available on the record to show that during his life time, Ram Parhlad ever lodged any complaint against the petitioner with regard to his alleged persistent harassment by the petitioner. It is matter of evidence as to whether there was any intention on the part of the petitioner to compel the deceased to end his life by committing suicide. Further the petitioner has joined the investigation with the police and now nothing remains to be recovered from her. So, no purpose will be served even if the petitioner is subjected to custodial interrogation at this stage. Furthermore, as per the State counsel who has received instructions from HC Kuldeep Singh, the petitioner is not required by the police for any further investigation.

7. In light of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 27.07.2023 is hereby made absolute subject to the conditions as envisaged under Section 438 (2) Cr.P.C.

10.01.2024

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No