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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-35156-2024
Date of Decision:-28.08.2024

SUDESH KUMARI

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Ravinder Malik, Advocate, for the petitioner.

Mr. Surender Singh, AAG, Haryana.

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 482 of
Bhartiya Nagrik Suraksha Sanhita 2023(BNSS) read with Section 528 of
BNSS the petitioner is praying for anticipatory bail in the event of arrest in
FIR (Annexure P-1) detailed as under:-

FIR No.	Dated	Sections	Police Station
225	05.07.2024	108 and Section 3(5) of the Bhartiya Nagrik Suraksha Sanhita, 2023(BNSS).	Urban Estate, Rohtak

2. It is, *inter alia* contended by learned counsel for the petitioner
that the petitioner is innocent and having no concern with the alleged
offence but has been falsely implicated in this case. He contends that the
petitioner happens to be the wife of deceased and the marriage had taken



place on 12.03.2005 and out of this wedlock they have two children. He submits that the deceased was having property dispute with his brothers and after his death false case has been planted upon the petitioner. He submits that the date on the alleged suicide note is mentioned as 04.08.2024 whereas the dead body of the deceased was allegedly recovered on 06.07.2024 and it creates doubt regarding genuineness thereof. On this ground, learned counsel for the petitioner prays for grant of concession of anticipatory bail to the petitioner.

3. *Per contra*, learned State counsel referring to the reply submitted by the State has assailed these arguments by submitting that the deceased had committed suicide on account of the petitioner having extra marital affairs with one Parvesh. He has referred to the complaints moved by the wife of Parvesh to police and consequent proceedings undertaken by the police to substantiate this aspect. He submits that the deceased was hale and hearty and committed suicide by drowning and had left a suicide note holding the petitioner responsible for the same. He submits that the petitioner is involved in heinous crime and her custodial interrogation is required, hence he prays for dismissal of the present petition.

4. After considering the arguments and perusing the record, it transpires that so far as the petitioner being the wife of the deceased is concerned, that is not disputed. It is also not disputed that the deceased had committed suicide by drowning. As per the prosecution version deceased had left a hand written suicide note leveling allegations against the petitioner of forcing him for suicide on account of her extra marital affair. Learned

State counsel has also placed on record various complaints moved by the wife of said Parvesh against the petitioner and the consequent proceedings undertaken by the police which have been annexed alongwith the reply filed by the State.

5. Considering all these facts and circumstances and serious nature and gravity of offence, it is observed that petitioner does not deserve concession of anticipatory bail. Therefore, no case is made out in favour of petitioner for grant of anticipatory bail in the present petition, the same is hereby dismissed.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

28.08.2024
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i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No