

2025 PHHC 008734



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision:- 21.01.2025

(1) CRM-M-13995-2024

JYOTI VANSHPetitioner
Vs.
STATE OF HARYANA ...Respondent

(2) CRM-M-29908-2024

VARSHA ALIAS LALI @ VARSHA PARMARPetitioner
Vs.
STATE OF HARYANA ...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Balwinder Sangwan, Advocate for petitioner
in CRM-M-13995-2024.

Mr. Vibhu Agnihotri, Advocate for petitioner
in CRM-M-29908-2024.

Ms. Aditi Girdhar, AAG, Haryana.

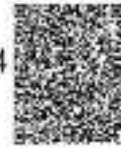
Mr. Tanmoy Gupta, Advocate for complainant.

AMARJOT BHATTI, J. (Oral)

1. Petitioner – Jyoti Vansh [in CRM-M-13995-2024] and
petitioner – Varsha alias Lali @ Varsha Parmar [in CRM-M-29908-2024]
have filed instant petitions under Section 438 of Cr.P.C. for grant of
anticipatory bail in FIR No.684 dated 24.12.2023 under Sections 306 and 34
of IPC registered at Police Station Adarsh Nagar, Faridabad (Annexure P-1).

These petitions are taken up together for hearing and decision being arisen

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out of the same FIR, at request and with consent of learned counsel for the parties.

2. As per facts of case, Krishan complainant gave his statement that her father had expired many years ago. Mother was alive. His elder sister Kanika i.e. victim got married with Jyoti Vansh in the year 2013 and out of this wedlock, they had two daughters and a son. On 23.12.2023, he received a call at about 6 pm giving information that his brother-in-law had taken his sister i.e. victim to Sarvodaya Hospital, Sector-8. On reaching there, he came to know that his sister was declared dead. She ended her life by hanging. He came to know that Jyoti Vansh was having affair with Varsha @ Lali. His sister came to know about this relationship. Jyoti Vansh did not change his attitude, as a result his sister was upset. He was troubling his wife a lot. She caught her husband talking to that girl. Due to this reason, being fed up with the relationship of Jyoti Vansh and Varsha @ Lali she ended her life.

3. Learned counsel for petitioner Jyoti Vansh in CRM-M-13995-2024 argued that present petitioner was granted interim bail vide order dated 08.05.2024. He has already joined investigation and he is not required for any other purpose. Allegations against him are false. They were married for the last about 11 years and no complaint was filed against him. Allegations of extramarital affairs are without any basis. It was Jyoti Vansh who took his wife to the Hospital. In-fact, she was unwell and was suffering from depression. She has not written suicide note. Allegations are without any basis. He is still ready to join investigation as and when required. Therefore, interim bail already granted in his favour may be confirmed.

4. Learned counsel representing Varsha @ Lali @ Varsha Parmar

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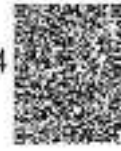


in CRM-M-29908-2024 argued that she has been falsely implicated in this case. No offence of abetment to commit suicide is made out. Allegations against present petitioner having affair with co-accused Jyoti Vansh are after thought. Present petitioner has been granted interim bail as in the connected case vide order dated 14.06.2024. She is still ready to cooperate in the investigation. Therefore, interim bail already granted in her favour may be confirmed.

5. Status report is filed in both the cases. Learned counsel representing State pointed out that there are specific serious allegations against both petitioners. They are specifically named. Copy of post mortem report is Annexure R-1. Both the accused were having affair with each other and they used to talk on mobile phone. Call detail record of both petitioners is annexed with the status report. It is further pointed out that both petitioners had joined investigation but did not fully cooperate. Learned State counsel in CRM-M-29908-2024 made statement on 06.11.2024 that mobile phone of petitioner – Jyoti Vansh is yet to be recovered. Even as per status report, mobile phone of petitioner Varsha @ Lali @ Varsha Parmar in CRM-M-29908-2024 used in the occurrence is yet to be recovered. Considering the offence, its gravity and to complete the investigation, their custodial interrogation is required.

6. I have considered the arguments and have gone through the record carefully. Both the petitioners were granted interim bail and they had joined the investigation but as per the status report they did not cooperate with the Investigating Agency as they avoided to handover their mobile phones to the Investigating Officer. In support of status report call detail

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record is annexed. It is mentioned in the status report that petitioner Jyoti Vansh used two mobile phones bearing No.7701849742 and 9654416212 for calling co-accused Varsha alias Lali on mobile phone No.96251-53989. As per the call detail (Annexure P-2), they exchanged calls 901 times from 29.05.2023 to 08.12.2023 and on other mobile calls 139 times from 31.05.2023 to 08.08.2023. Said mobile phones were yet to be recovered. As per the allegations in the FIR, the victim took this grave step on account of extramarital affair of Jyoti Vansh with co-accused petitioner Varsha @ Lali @ Varsha Parmar. To complete investigation, said mobile phones are material piece of evidence. Status report indicates that both the petitioners referred above did not fully cooperate with the investigating agency. In light of this, interim bail granted to petitioner – Jyoti Vansh in CRM-M-13995-2024, vide order dated 08.05.2024 and petitioner – Varsha alias Lali @ Varsha Parmar in CRM-M-29908-2024, vide order dated 14.06.2024, stands vacated and their anticipatory bail applications are accordingly declined.

10. Pending miscellaneous application(s), if any, stand disposed of accordingly.

11. Photocopy of the order be placed on the file of above-mentioned connected case.

21.01.2025

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No