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

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Date of Decision:- 05.02.2025

Rekha Devi alias Kundi Devi

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Anurag Singh Tagra, Advocate with
Mr. Danish Narang, Advocate, Advocate for petitioner.

Mr. Kewal Singh, Addl. A.G., Punjab.

AMARJOT BHATTI, J.

1. Petitioner Rekha Devi alias Kundi Devi has filed petition under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.0087 dated 13.08.2024, under Section 108 of BNS, registered at Police Station Kathgarh, District S.B.S.Nagar, Punjab.

2. As per facts of the case, FIR has been registered on the statement of Ajay Kumar brother of the deceased victim who stated that his sister aged about 26 years was mother of two daughters, one aged about 03 years and another aged about 06 months. The victim was illtreated by her husband Sandeep Kumar and mother-in-law Kundi Devi. They taunted her for not giving birth to a son. Finally on 08.08.2024 at about 11:00 AM she consumed poison, as a result her health deteriorated. She was taken to Civil Hospital, Balachaur. She was not provided proper treatment. On 10.08.2024, Sandeep Kumar telephonically informed his father that Pooja



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Devi was unwell due to ulcer and some increase of urea. In the morning, they went to see his sister and she was in critical condition. Thereafter, she was taken to Parmar Hospital, Roopnagar from there, she was further referred to PGI, Chandigarh. During this period his sister disclosed about the conduct of her husband and mother-in-law through gestures. On 13.08.2024 at about 2:00 AM, she expired.

3. Learned counsel for petitioner argued that petitioner was granted interim bail vide order dated 07.11.2024 and accordingly, she has joined investigation. She is still ready to abide by the terms of bail order. Allegations levelled against her are without any basis. She is looking after two minor children. Therefore, interim bail already granted in her favour may be confirmed.

4. Bail petition is opposed by learned counsel representing complainant taking the stand that there are specific serious allegations against present petitioner. The victim was not provided proper medical treatment rather the accused tried to hide the factual position by alleging that his sister was having ulcer or problem of urea. The family noticed critical condition when they visited the matrimonial house of victim and then she was shifted to Parmar Hospital and further to PGI, Chandigarh. So far as minor children are concerned, they can be looked after by their maternal grand-mother.

5. Learned counsel representing State filed status report, which is taken on record. He pointed out that petitioner has joined the investigation on 11.11.2024. The allegations are serious in nature. Pooja Devi committed suicide on account of her continuous harassment at the hands of her husband



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and present petitioner. On this ground the anticipatory bail petition is opposed.

6. I have considered the aforesaid factual position and have gone through the record. Petitioner is the mother-in-law who was granted interim bail vide order dated 07.11.2024. The deceased victim has left behind two minor daughters who are at present under the care and custody of present petitioner. So far as allegations are concerned, those are specific and serious in nature. The matter is to be decided by learned trial Court on the basis of evidence. Petitioner is ready to abide by the terms and conditions of bail order. At present no purpose would be served by sending the petitioner behind the bars. Considering the welfare of two minor daughters, interim bail already granted in favour of petitioner vide order dated 07.11.2024 stands confirmed subject to the conditions detailed under Section 482(2) BNSS.

7. Petition is accordingly disposed of.

8. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

05.02.2025

Sunil Devi

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No