



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
219

CRM-M-55689-2024 (O&M)
Date of decision: 06.03.2025

Sumona Ghosh
.....Petitioner
Versus
State of U.T., Chandigarh
.....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ranvir Singh Arya, Advocate
for the petitioner.
Mr. P.P. Paul, APP, U.T., Chandigarh.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of BNSS, 2023, seeking anticipatory bail in case FIR No.89, dated 13.6.2023 registered under Section 306 read with Section 120-B of Indian Penal Code at Police Station Sector-31, Chandigarh.

2. On 08.11.2024, the following order was passed:-

“XX XX XX XX

The matter pertains to a suicide allegedly committed by Swarup Dalal i.e. husband of the petitioner. The FIR was lodged by brother-in-law (Jija) of the deceased. The translated gist of the FIR as extracted from the translated FIR (Annexure P-1) is reproduced herein-under:

“Statement of Sh. Shyamal Mondal S/O Gobardhan Mondal R/O Radha Krishanapur Radhamohanpur Bankura, West Bengal, age- 47 years, stated that I live at the above address with my family and doing the private job. I am married to Tansraee Mondal



D/O Sunil Dalal R/O Station Road, Andal More Ondal Bardhaman West Bengal for 2 years. My' brother-in-law Swarup Dalal who was working as sergeant in Indian Airforce and was posted in 12 wing Chandigarh for last four years. My brother-in-law Swarup Dalal got married on 03/05/2023 according to Hindu customs with the consent of both the parties. Since the marriage, my brother-in-law and his wife Sumona Ghosh D/O Samir Ghosh R/O Chaletentul, Rondia, Budpurba Bardhaman have been having arguments with each other regarding their child and his wife's pregnancy. That my mother-in-law Latika Dalal got her proper check-up done by the doctor and it was found that she was 45 days pregnant, due to which there was an argument between my brother-in-law and his wife and after that I came to know that my brother-in-law's wife's father Samir Kumar had aborted her child. Due to which my brother-in-law's mental condition deteriorated and he also had an argument with his father-in-law Samir Kumar. After that, my mother-in-law Latika Dalal tried to convince my brother-in-law, but he said that he had been insulted a lot, he was very stressed about this and that is why he committed suicide. The following people are responsible for his suicide (1). Sumona Ghosh D/O Samir Kumar Ghosh R/O Chaletentul, Rondia, Bud Purba Bardhaman Pashchim Bardhaman West Bengal (2). Sandhya Dass W/O Subrata Dass Natun Madanpur, Baktaruaga Pashchim Bardhaman West Bengal, (3). Samir Kumar Ghosh Chaktentul, Rondia, Budpurba Bardhaman, West Bengal. Strict



action be taken against them. I have seen my brother-in-law's dead body. This is of my brother-in-law. I have given the statement in writing, I have heard it, it is fine. SD- Shyamal Mondal”

Learned counsel for the petitioner submitted that it is a case where the deceased apparently could not adjust to the married life and had committed suicide within a short span of his marriage. It has further been submitted that as a matter of fact the petitioner was in her in-laws' house in West Bengal when her husband, who was posted in Chandigarh (in Indian Air Force), committed suicide in Chandigarh.

Learned counsel for the petitioner further submitted that although the Trial Court had ordered for stay of arrest of the petitioner vide order dated 22.8.2023 passed by learned Additional Sessions Judge, Chandigarh (Annexure P-2), but since the petitioner could not travel immediately from West Bengal to Chandigarh so as to join investigation, the Trial Court without giving sufficient opportunity, proceeded to dismiss the bail application within a period of about 6 days i.e. vide order dated 28.8.2023 passed by learned Additional Sessions Judge, Chandigarh (Annexure P-3). Learned counsel for the petitioner submitted that, in any case, even if all the allegations are taken to be correct, it cannot be said that the petitioner had abetted the commission of suicide by the deceased.

Notice of motion for 6.3.2025.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner



shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C. ”

- 3. Learned State counsel, on instructions from ASI Jaswinder Singh, at the very outset, informs the Court that the petitioner has joined the investigation and her custodial interrogation is not required.
- 4. In view of the statement of learned State counsel, order dated 08.11.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).
- 5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

06.03.2025
yakub

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