

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

**C.R.M. No.31489 of 2015 in/and
C.R.M-M-28461-2015
Date of Decision : 29.09.2015**

Chanchal Katariya

..... Petitioner

Versus

State of U.T. Chandigarh

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sushil Jain, Advocate
for the applicant-petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

C.R.M-31489-2015

By this application the applicant-petitioner is seeking permission to place on record a copy of passport of brother of the petitioner, a copy of postmortem report and a true translated copy of suicide note.

For the reasons recorded, the application is allowed.

Documents are taken on record as Annexures P-8 to P-10.

C.R.M-M-28461-2015

Prayer in the present petition filed under Section 438 of the Cr.P.C. is for appropriate directions to the investigating officer to release the petitioner on bail forthwith in the event of his arrest in case FIR No.313

dated 17.06.2015 registered under Sections 304-B, 120-B IPC at Police Station Manimajra, Chandigarh.

The contention of the learned counsel for the petitioner is that as per the aforesaid documents it is clear that the deceased was already carrying a child in her womb when the brother of the petitioner came to India.

Notice of motion.

Mr. S.S. Toor, Standing Counsel for U.T. Chandigarh has entered appearance on behalf of the respondent. Copy of the paper book has already been supplied to him.

After going through the record the learned Standing Counsel for U.T. Chandigarh has fairly accepted that the facts do disclose that the deceased was probably already carrying a child even before the brother of the petitioner had come to India.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

September 29, 2015
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(AJAY TEWARI)
JUDGE