

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-31133 of 2015

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Date of decision:5.10.2015

Sulakshna

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Paras Talwar, Advocate for the petitioner.

Mr. B.S. Bhullar, Assistant Advocate General, Punjab for the respondent-State.

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Inderjit Singh, J.

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.11 dated 2.2.2015 registered for the offence under Section 306 IPC at Police Station Naya Gaon, District S.A.S. Nagar (Mohali).

Notice of motion has been issued in this case.

Mr. B.S. Bhullar, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the parties and have gone through the record.

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From the record, I find that Rajesh Kumar was married with Sulakshna-present petitioner about 16 years ago. As per the FIR, the present petitioner filed a case against Rajesh Kumar for maintenance in the District Court, Chandigarh. The allegation as per the FIR is also that she used to file false complaints against Rajesh Kumar due to which he remained tensed and on 2.2.2015 he committed suicide. A copy of the suicide note has also been placed on the record. I have gone through the suicide note.

The petitioner is in custody since 3.2.2015. She is not required for interrogation or investigation purposes as she is in judicial custody. Nothing is to be recovered from her. She is only to face the trial. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

October 5, 2015.

(Inderjit Singh)
Judge

hsp