

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-23183 of 2016

Date of Decision: 17.08.2016

Simpal @ Simple

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Jatinder Nagpal, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

Mr. Suneel Ranga, Advocate
for the complainant.

ANITA CHAUDHRY, J(ORAL)

The petitioner is seeking regular bail in FIR No. 44 dated 20.5.2016 registered at Police Station GRP, Panipat under Sections 306/34 IPC and Section 3 of SC and ST Act, 1989.

Counsel for the petitioner contends that the petitioner was a Guest Teacher in a school and was arrested on 27.5.2016 and the investigation is over and challan has been presented.

The counsel urges that the allegations against the petitioner are that she along with other teachers were harassing the deceased and there are also allegations under Section 3 of the SC and ST Act but in the suicide note the deceased had voiced her fears that she was being implicated and there were some recordings and insinuations were being made that the deceased was having an affair. The counsel urges that the deceased took her minor daughter along and jumped before the train but fortunately the child

escaped with injuries and Manju had died. The counsel urges that the trial will take time and bail be allowed.

Counsel for the complainant as well as State counsel have opposed the bail application and it was urged that there were other teachers who were named but could not be arrested. State counsel submits that challan had been filed only against the persons who had been arrested. Counsel for the complainant states that the bail should not be allowed till the statements of the witnesses are recorded.

The investigation is over and challan has been filed. Neither in the FIR nor in the suicide note there are any specific allegations against the petitioner that she aided or instigated the deceased to end her life. The trial will take time.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on her furnishing local surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate with the condition that the petitioner will not tamper with the evidence.

(ANITA CHAUDHRY)
JUDGE

August 17, 2016
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No