

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

**Crl. Misc. No. M- 34292 of 2016
Date of Decision:-30.09.2016**

Mamta

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.V.D. Sharma, Advocate for the petitioner.

Mr.Manish Bansal, DAG, Haryana.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioners in case FIR No.33, dated 05.05.2016, for offence under Sections 306/34 IPC registered at Police Station, GRP Jind, during the pendency of trial.

Learned counsel for the petitioner contends that the petitioner is in custody since 08.07.2016 and she is a second wife of the deceased- Shyam Lal @ Shyam Sunder. Out of this wedlock, one child, namely, Gaurav is born. He further submits that deceased- Shyam Lal @ Shyam Sunder has committed suicide and there is no signed suicide note left by the deceased. Even, the other co-accused, namely, Gaurav has been found innocent by the police. He also submits that the trial in the case will take sufficient long time to conclude and, therefore, the petitioner is entitled for

grant of bail.

On the other hand, learned counsel for the State, on instructions from SI-Ram Murti, submits that the petitioner has illicit relations with other co-accused Gaurav, due to which deceased- Shyam Lal @ Shyam Sunder has committed suicide. The involvement of the petitioner for abetment of suicide of deceased- Shyam Lal @ Shyam Sunder cannot be ruled out.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 08.07.2016, coupled with the fact that there is no signed suicide note of the deceased and the trial will take sufficient long time to conclude, as even the prosecution evidence has not yet been started, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to her furnishing bail/surety bonds to the satisfaction of the trial Court.

It is also made clear that expression made here-in-above shall not be construed as an expression on the merit of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

(HARI PAL VERMA)
JUDGE

30.09.2016
Anjal

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No