

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

**CRM-M No.42758 of 2015 (O&M)
Date of Decision: 28.03.2016**

Mahipal

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Yashwinder Singh, Deputy Advocate General, Haryana
for the respondent/State assisted by ASI Virender Singh.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused-Mahipal in case FIR No.557 dated 21.08.2015, under Sections 147, 149, 328, 302 of the Indian Penal Code (**Annexure P-2**) (Sections 306, 34, IPC added later on and Sections 147, 149, 328, 302, IPC deleted later on), registered with Police Station Sadar Bhiwani, District Bhiwani .

The daughter-Renu of the complainant-Rajbala consumed poison and died as her *Jeths* Mahipal (present petitioner/accused) and Kanwar Pal had refused to desist from raising construction over a adjacent plot without first granting Renu her share through her husband in the said property.

It is contended that out of 09 named family members, 07 were found totally innocent. The petitioner/accused-Mahipal and the co-accused/non-applicant-Kanwar Pal were nominated as they were alleged to be raising the construction on the said plot on the day of the occurrence. It is further contended that the petitioner is in custody since 01.09.2015 and from the allegations, it cannot be inferred that there was an abetment to suicide.

Learned Counsel for the petitioner further submits that the evidence of 20 cited prosecution witnesses is yet to commence.

Learned State Counsel, assisted by ASI Virender Singh, is unable to refute the aforesaid factual contentions.

Without commenting on the merits of the case, keeping in view the custody period and the fact that the challan stands presented and the trial is not likely to be concluded in near future, this Court finds that petitioner/accused deserves the concession of regular bail and as such he is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate concerned.

Disposed of.

March 28, 2016
Gagan

(JASWANT SINGH)
JUDGE