

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

Crl. Misc. No.M-444 of 2016

Date of Decision: 13.01.2016

Rajbala alias Bala

....Petitioner

Versus

State of Haryana

....Respondent

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. Sandeep Kotla, Advocate
for the petitioner.

Ms. Tanushree Gupta, D.A.G., Haryana
for the respondent-State.

DAYA CHAUDHARY, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C for grant of bail to the petitioner, in case, FIR No.170 dated 13.09.2015 registered under Sections 328, 147, 323, 149 and 306 IPC read with Section 34 IPC at Police Station Behal.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case, whereas, there is no abetment on her part. Even no offence under Section 306 IPC is made out against her. There is no allegation of abetment or instigation on the part of the petitioner which compelled the deceased to commit suicide. Even from the statement of the deceased, no offence under Section 306 IPC is made out.

There is no evidence that the deceased died due to consumption of poison as she died after 11 days of the occurrence. He has further stated that the investigation has been completed and the challan has been presented and the petitioner is in custody since 21.10.2015. Co-accused of the petitioner, namely, Sheo Karan, who is father-in-law of the deceased, is behind bars. The petitioner is a young lady, having minor children and there is no person to look after them.

Learned counsel for the respondent-State has not disputed the custody period but opposes grant of bail to the petitioner on the ground that there was some money transaction between the parties and the dispute arose because of that reason. The deceased committed suicide as she was being harassed by the accused persons.

In view of the submissions made by learned counsel for the petitioner and that the petitioner is in custody since 21.10.2015; the investigation has been completed and challan has been presented; trial may take some time to conclude and no purpose would be served by keeping her in custody as nothing is to be recovered from her, the present petition is allowed and the petitioner is directed to be released on bail on her furnishing bail/surety bonds to the satisfaction of the trial Court.

13.01.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE