

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

Crl. Misc. M-11335 of 2017(O&M)
Date of Decision: September 27, 2017

Manish Kumar @ Kala

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Jitesh Bhardwaj, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.750 dated 02.10.2016, under Sections 306/34 of Indian Penal Code, registered at Police Station City Sirsa, District Sirsa.

Learned counsel for the petitioner submits that the petitioner is the husband of the deceased Ritu and son-in-law of the complainant. It is contended that the petitioner herein has been arrested in the aforesaid FIR on 04.10.2016 and after investigation, challan has been put up. It is also argued that a reading of the said suicide note would reflect that the grievance if any is against Kanchan and not against him and therefore, the petitioner would be entitled to grant of regular bail.

At this stage, Mr. Sushil Kumar Verma, Advocate puts in

appearance on behalf of the complainant and files the power of attorney, which is taken on record. He files the affidavit as executed by Meera Devi complainant stating therein that she would have no objection in case, regular bail is granted to the petitioner. In the affidavit, it is submitted that there was no discord between her deceased daughter Ritu and the petitioner herein. The affidavit is taken on record. Let a copy of the same be furnished to the State counsel.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the bail application, while submitting that challan has been presented.

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that the petitioner is in custody since 04.10.2016 and challan has been presented, no useful purpose would be served in keeping the petitioner behind the bar. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, it is made clear that any observations made hereinabove are only for the purpose of granting regular bail and not to be construed as an opinion on the merits of the case.

September 27, 2017
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No