

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-13927 of 2017 (O&M)
Date of Decision: 19.05.2017

Harish

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Anil Kumar Malik, Advocate for the petitioner.

Mr. C.S. Bakshi, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.947 dated 23.7.2016 under sections 306, 34 I.P.C, registered at Police Station, City Panipat, District Panipat.

Learned counsel for the parties have been heard.

FIR came to be registered on the statement of Bahadur Chand. Deceased is his son namely Harish Kumar, who is stated to have committed suicide on 20.7.2016 by consuming some poisonous substance.

As per complainant's version, wife of Harish Kumar was of a loose character and had illicit relations with a number of persons. Earlier the couple was staying in Karnal and thereafter had shifted to Panipat along with children and had started staying in a rented accommodation. There is a specific reference to an incident dated 20.7.2016 and wherein the complainant alleges that Mamta wife of Harish (deceased) had quarreled with him and had joined hands with her sister Neetu, brother-in-law Lucky @ Danu, Rani (paternal aunt) and had beaten him up. Allegations are that on account of such harassment Harish committed suicide.

Name of the present petitioner does not figure in the FIR. He is sought to be implicated on the basis of a suicide note alleged to have been left behind by the deceased. In such suicide note the present petitioner has also been named along with other relatives of Mamta in relation to the occurrence dated 20.7.2016.

It has gone uncontroverted that the report from the F.S.L., Madhuban with regard to the suicide note is yet awaited.

Petitioner has faced incarceration since 23.7.2016. The offence of abetment to suicide whether made out against the backdrop of the allegations raised by the complainant as also as per the contents of the suicide note assuming the same to be in the hands of the deceased, would be a moot question to be decided during the course of trial.

Investigation in the case is complete. Challan has been presented and even charges have been framed on 3.11.2016.

Learned State counsel informs that prosecution evidence is yet to be led.

Trial, as such, would take time to conclude.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Panipat.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

19.05.2017

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Whether speaking/reasoned: Yes
Whether Reportable: No