

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

CRM-M No. 2343 of 2017(O&M)

Date of decision: 8.3.2017

Kanchan

....Petitioner

VERSUS

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. J.S. Thind, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

REKHA MITTAL, J.(Oral)

The petitioner prays for grant of regular bail in FIR No.0750 dated 02.10.2016 registered with Police Station Sirsa City, District Sirsa for offence punishable under Section 306 read with Section 34 of the Indian Penal Code, 1860 (in short 'IPC').

Counsel for the petitioner has submitted that as per allegations raised in the FIR lodged at the instance of Meera Devi, mother of the deceased namely Ritu, Manish husband of Ritu used to talk to a woman named Kanchan on phone and because of that Manish used to abuse her daughter about which her daughter had told many a time and she remained under tension and consumed some medicine because of mental tension on 29.09.2016 at about 7.30 PM. It is further submitted that even if the allegations raised in the FIR are taken to be correct, it is a moot point if offence under Section 306 IPC is attracted in the given circumstances qua culpability of the petitioner. In addition, it is argued that the petitioner was arrested on 04.10.2016. She is no longer required for the purpose of

investigation as challan has been presented in the Court and conclusion of trial is likely to take its own time. The last submission made by counsel is that the petitioner is ready to face the proceedings in accordance with law.

Counsel for the State has opposed the prayer for bail with the submission that the deceased left behind a suicide note holding the petitioner responsible for her taking extreme step to eliminate herself. It is further submitted that a report with regard to the contents of said suicide note from the Forensic Science Laboratory has not been received till date and the case before the trial Court is pending for consideration on question of charge.

In reply, counsel for the petitioner has submitted that the alleged suicide note has seen the light of day for the first time on 06.11.2016, more than one month after the alleged occurrence and registration of FIR. It is further submitted that as till date, there is no report received from the Forensic Science Laboratory, there is no evidence on record that the same was authored by the deceased. Another submission made by counsel is that this writing has been manufactured later in order to create an evidence against the petitioner.

I have heard counsel for the parties, perused the paper-book and the police records.

Concededly, investigation is complete and challan has been presented in the Court. It is yet to be ascertained if the alleged suicide note was authored by the deceased when admittedly it was brought into light more than a month after the occurrence. The petitioner is ready to face the proceedings in accordance with law. The law is more liberal with regard to grant of bail to a woman. Without commenting upon merits of the case, the

petitioner shall be released on bail subject to furnishing bail bonds to the satisfaction of the trial Court. However, she shall abide by the following conditions:-

- (i) she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade him/her from disclosing such facts to the Court;
- (ii) she shall not leave India without previous permission of the Court.

MARCH 8, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no