

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-25076 of 2017
Date of Decision: 10.08.2017

Rani

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Varinder Singh Rana, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.78 dated 11.06.2017 registered for the offence punishable under Section 306 of Indian Penal Code (for short, "IPC") at Police Station Mataur, District SAS Nagar, Mohali

Heard.

Notice of motion.

On asking of the court, Ms. Rajni Gupta, Sr. DAG, Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

The petitioner in this case was arrested on 13.06.2017. Her son Vinod Sharma had committed suicide and left a detailed suicide note, which is stated to have been sent to FSL for report. In the suicide note, main allegations are against a person, namely, Naresh Kumar, who was alleged to be after the life of deceased at the behest of his sister.

Learned counsel for the petitioner submits that petitioner was in fact a drug addict and this led him to commit suicide. There is nothing in the suicide note to make out abetment on the part of petitioner immediately before taking of this step by the deceased.

Keeping in view the fact that suicide note is still being verified by the police and allegations levelled in the suicide note but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Rani is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) She shall not leave the country without the previous permission of the Court.

August 10, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No