

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

**Criminal Misc. No.M-40531 of 2017(O&M)  
Date of Decision: December 19, 2017.**

Parveen Kumar

Petitioner.

**Versus**

U.T. Chandigarh

Respondent

**CORAM:- HON'BLE MRS.JUSTICE LISA GILL**

Present: Mr. N.S.Lucky, Advocate  
for the petitioner.

Mr.Sukant Gupta, APP, U.T.

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**LISA GILL, J.**

Petitioner seeks the concession of bail pending trial in FIR No.15 dated 17.02.2017, under Sections 306 IPC, registered at Police Station Sector 49, Chandigarh.

It is submitted that marriage between the petitioner and the deceased was solemnized on 20.11.2007. A daughter was born out of this wedlock. However, due to matrimonial discord, the deceased was living at her parental home since 13.08.2016. She committed suicide by hanging herself from a ceiling fan at her parental home. Culpability of the petitioner for the offence punishable under Section 306 IPC in the present case is debatable in the facts and circumstances of the case. The complainant in this case has since been testified before the learned trial Court. The petitioner is not involved in any other criminal case. It is thus prayed that this petition be allowed.

Learned counsel for the State while opposing this application

submits that specific allegations have been raised against the petitioner, but is unable to deny that the deceased was at her parental home since 13.08.2016.

Be that as it may, appreciation of the evidence on record is doubtlessly in the domain of the learned trial Court and shall be considered by the learned trial Court. The petitioner in this case is not reported to be involved in any other criminal case. There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in Court, if released on bail. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by petitioner-Parveen Kumar, is allowed. The petitioner be released on bail pending trial subject to his furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

**19.12.2017**  
s.khan

**[LISA GILL]**  
**Judge**

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.