

Sr. No.219

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-6583 of 2017 (O&M)

Date of Decision:06.03.2017

Archana

... Petitioner

Versus

State of Haryana

... Respondent

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

Present:- Mr. Arun Walia, Senior Advocate with
Mr. Dinesh Sharma, Advocate,
for the petitioner.

Mr. Satish Saini, DAG, Haryana.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the instant petition filed under Section 439 Cr.P.C. seeking benefit of regular bail to the petitioner in case FIR No.61 dated 29.08.2016, under Sections 306 read with Section 34 IPC and Section 3 (2) of SC & ST Act, registered at Police Station GRP, Jind.

Counsel for the parties have been heard.

FIR has been registered on the statement of Vishal with regard to his father, namely, Surya Prakash having committed suicide on 29.08.2016.

Present petitioner is the wife of the deceased.

Allegations are that Surya Prakash took the extreme step of ending his life on account of the petitioner being in an illicit relationship with co-accused Sanjay Saini.

Version of the complainant i.e. son of the deceased is stated to be supported and corroborated even on the strength of a suicide note left

behind by the deceased.

Petitioner was arrested on 10.10.2016.

Investigation in the case is complete and the challan has been presented. Charges are yet to be framed.

Trial as such would take time to conclude.

Even though the report from the Forensic Science Laboratory for recording of an opinion as regards veracity of the suicide note is awaited yet counsel appearing for the petitioner would contend that assuming the version of the complainant to be correct at its face value, the issue as to whether offence under Section 306 IPC would be made out on account of the illicit relationship would be a moot question to be considered by the trial Court.

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

Disposed of.

06.03.2017

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

Yes