

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

(1)

**Crl. Misc. No.M-9830 of 2017(O&M)
Date of Decision: April 21, 2017**

Usha

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

(2)

Crl. Misc. No.M-9848 of 2017(O&M)

Kamlesh

.....PETITIONER(s).

VERSUS

State of Haryana

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sushil Sheoran, Advocate
for the petitioner (s).

Mr. Vikramjeet Singh, Addl.A.G. Haryana.

SURINDER GUPTA, J.(Oral)

This order will dispose of both the aforementioned petitions filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to petitioners Usha and Kamlesh in case FIR No.316 dated 16.11.2016 registered for the offence punishable under Section 306, at Police Station Agroha, District Hisar.

Heard.

Learned counsel for the petitioners submits that entire

allegations of the deceased in the suicide note is against Sunaina who has been arrested and released on regular bail. It has been mentioned in the suicide note that Kamlesh along with Usha, Sunaina and others came to the house of deceased and demanded ₹90,000/-. No date of their coming to the house of deceased is mentioned to make out that there was any cause of immediate abetment to the deceased for taking the extreme steps to commit suicide on the action attributed to petitioners Usha and Kamlesh.

Learned State counsel submits that Usha and Kamlesh both are named in the suicide as well as in the FIR and their custodial interrogation is required in this case.

As per case of prosecution, Sunaina is the main accused and Kamlesh and Usha have been named as the persons who accompanied Sunaina when she came to the house of deceased. Keeping in view the above facts but without expressing any opinion on the merits of the case, both the aforementioned petitions are allowed. The petitioners are directed to surrender before the police and join investigation within two weeks. In the event of their arrest being required, they shall be released on bail till the presentation of challan, subject to their furnishing bonds to the satisfaction of Arresting Officer. However, they shall abide by the terms and conditions as envisaged under Section 438(2)(i) to (iv) Cr.P.C. and seek regular bail on the presentation of challan in Court.

April 21, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No