

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

CRM-M-19818-2018

Date of decision:-1.6.2018

Laxmi Devi

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Bijender Dhankhar, Advocate
for the petitioner.

Mr.Neeraj Poswal, AAG, Haryana.

H.S. MADAAN, J.

This petition for regular bail has been filed by petitioner –
Laxmi Devi – an accused in FIR No.3 dated 8.1.2018, under Sections
306/34 IPC, registered at Police Station Baragudha, District Sirsa.

Briefly stated, the prosecution story is that criminal
machinery in this case was sent into motion by complainant Ms.Bimla
wife of Satyawar, resident of Nagoki, aged about 55 years by making a
statement to the police on 8.1.2018. Inter alia in her statement, she stated
that about seven months earlier, his son Dharampal's wife Raj Kala had
committed suicide by hanging herself; that father of Raj Kala had lodged
an FIR in that regard and Dharampal along with his father Satyawar were
arrested; that Karampal younger son of complainant was stopped from
meeting his mother (the complainant) by his wife Lakhwinder, however,

Laxmi wife of Purshottam, a brother-in-law of complainant and Lakhwinder wife of Karampal used to learn about the same and would pick up a quarrel with Karampal; that for that reason Karampal used to remain quite upset; that Ram Kumar had taken away Lakhwinder wife of Karampal to her parental place and had threatened Karampal; that after some days Karampal had brought back his wife Lakhwinder from his in-laws house; that on 7.1.2018, Laxmi and her father Ram Kumar came from village Hadoli and after going to Karampal's house, Laxmi, Ram Kumar and Lakhwinder called Karampal; that after quarrelling with Karampal, Laxmi and Ram Kumar had gone away; that Karampal had narrated all those things to his mother, the complainant; that he was very upset, then the complainant came to know that her son Karampal had committed suicide by hanging. In her statement to the police the complainant stated that her son had committed suicide by getting fed up with Ram Kumar, Laxmi and Lakhwinder. After registration of the formal FIR, the matter was investigated. Accused was arrested in this case. After completion of investigation, the challan has been filed and the trial is going on. The petitioner-accused had filed an application for regular bail in the Court of Sessions, which was declined by learned Additional Sessions Judge, Sirsa vide order dated 25.4.2018, as such, she has approached this Court with same request.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioner has contended that the petitioner is innocent and has been wrongly involved in this case; that no abetment to suicide on her part is disclosed; that the conclusion of the trial is likely to take some time, as such, the petitioner be granted concession of regular bail.

Whereas, learned State counsel has opposed the request vehemently.

After hearing the rival contentions of learned counsel for the parties, and going through the record, I find that only during the trial, it can be found out as to whether the petitioner is guilty of abetment of suicide committed by Karampal. There are specific allegations against the petitioner in the FIR, which *prima facie* go to show abetment. The fact whether the petitioner is innocent or guilty of abetment to suicide of Karampal could only be found out after trial. At this stage, it cannot be said that no offence against the petitioner is disclosed. The trial is said to have just started. The statements of material witnesses have not been recorded so far. The apprehension expressed by the State counsel that if petitioner is granted bail, there is every likelihood to her absconding and even tampering with the prosecution evidence cannot be brushed aside lightly.

Therefore, finding no merits in the petition, the same stands dismissed.

1.6.2018
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(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No