

208-b **IN THE HIGH COURT OF PUNJAB AND HARYANA**
 AT CHANDIGARH

Criminal Misc. No. M- 20770 of 2018 (O&M)

Date of decision : June 06, 2018

Dr. Sarita Jaswal

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Jitender Dhanda, Advocate
for the petitioner.

Mr. Surender Singh Pannu, DAG, Haryana.

Mr. Ashwani Nagra, Advocate
for the complainant.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 200 dated 26.08.2016 under Section 306 IPC registered at Police Station Naraingarh, District Ambala.

It is submitted that the petitioner has been falsely implicated in this case merely because of her relationship with the co-accused Richa Singh. The petitioner is the paternal aunt (Bua) of Richa Singh. It is debatable whether the ingredients of Section 306 IPC which necessarily entail instigation and abetment are present in the case. It is further contended that even as per the suicide note, the ingredients of Section 306 IPC are not made out. The police authorities, it is submitted, did not find anything substantial in the allegations and no action was taken from August, 2016 till 06.05.2018 when the petitioner was asked to come to the Police Station Naraingarh on the pretext of some inquiry. She was then told that she was under arrest in the abovesaid case. It is contended that the petitioner is a Doctor, retired from Government service and has nothing to do with the controversy in hand. It is, thus, prayed that this petition be allowed.

Learned counsel for the complainant has vehemently opposed this petition.

I have heard learned counsel for the parties.

Learned counsel for the State submits that the matter was pending investigation since the registration of this case. It is verified that the petitioner is not involved in any other criminal case. Trial in this case is not likely to conclude in the near future.

There are no allegations on behalf of the State that petitioner is likely to abscond or that she is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

No useful purpose shall be served by keeping the petitioner incarcerated any longer. Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner be released on bail pending trial subject to her furnishing requisite bail bonds and surety to the satisfaction of the learned trial Court/Duty Magistrate.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

June 06, 2018
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No