

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

Date of decision: 18.09.2018

1 CRM-M-37342-2018

Dhanni Devi

...Petitioner

Versus

State of Punjab

...Respondent

2 CRM-M-38334-2018

Jagat Ram and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr.Inderjeet Singh Chawla, Advocate,
for the petitioner(s).

Ms. Rajni Gupta, Sr. DAG, Punjab.

JAISHREE THAKUR, J. (ORAL)

By this common order, this Court proposes to dispose of the
above referred two petitions.

These petitions have been filed under Section 439 Cr.P.C. for
grant of regular bail to the petitioner(s) in case FIR No.115 dated
27.07.2018 under Section 306 IPC, registered at Police Station Haibowal,
District Ludhiana.

Learned counsel appearing on behalf of the petitioner(s) contends that a reading of the suicide note which is being relied upon by the prosecution, would not constitute an offence under Section 306 IPC since it is clearly mentioned therein that there is an apprehension to her life at the hands of the petitioners herein. It is argued that the matter has been investigated and the petitioners have been in custody since 27.07.2018. In this background, he prays for grant of bail to the petitioners.

Ms. Rajni Gupta, learned Sr. DAG, Punjab opposes the grant of regular bail while submitting that the suicide note has been sent to FSL and the report is awaited.

I have heard learned counsel for the parties and in view of the fact that other than the report of the FSL, the investigation is complete and the challan in the said matter has been put up, therefore, further custody of the petitioners herein would no longer be require, the present petition is allowed. Without expressing any opinion on merits of the case, the petitioners are ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to

procure his presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.

(iii) they shall not leave the country without the previous permission of the Court.

A photocopy of this order be placed on the file of the connected case.

18.09.2018

Satyawan

Whether speaking/reasoned
Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.
No.