

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

CRM-M-37688 of 2018

Date of Decision: October 23, 2018

Satyapal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Ashish Aggarwal, Senior Advocate
with Mr. Abhinav Aggarwal, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH, J.

This order shall dispose off regular bail application under Section 439 Cr.P.C of the petitioner-Satyapal, husband of the deceased Darshna filed in case FIR No.313 dated 28.05.2018 under Sections 306 and 34 IPC Police Station, Shivaji Colony, Rohtak.

The brief facts brought to the notice of the Court are that; marriage between the deceased and the petitioner took place about 18 years prior to this occurrence, out of which couple has been bestowed with two sons who both are grown up. It is alleged that on 27.5.2018 on account of some dispute between the couple, the wife consumed poison resulting in her death leading to the registration of the case and arrest of the petitioner on 15.6.2018.

Learned Senior counsel for the petitioner submits that the couple has been in matrimony for almost 18 years and not a single instance has come about of any harassment, cruelty or such like squabble between them and that it was an outcome of rash act of the deceased which

resulted in her consuming poison and that there is no element of abetment to suicide which is evident from the bare perusal of the record and that the petitioner is behind the bars from more than four months and that the trial is not likely to be concluded in near future.

Learned State counsel on instructions of ASI Parkash Chand, Police Station Shivaji Colony, Rohtak, though, has not disputed the factual scenario but has opposed the grant of bail to the petitioner on the grounds of heinousness of offences and seriousness of allegations and has also accepted the period of custody of the petitioner.

Appreciating the submissions of the two sides, as is much in evidence from the allegations, it is after 18 years of their married life, out of a small incident of confrontation, the wife who was a mature lady with two grown up children had consumed poison leading to her death. Thus, the question as to the abetment to suicide is debatable issue and that the trial is not likely to be concluded in near future. That culpability, if any, shall be determined at the time of trial and no useful purpose would be served by keeping the petitioner behind the bars, without adverting anything on the merits of the case, the present petition for grant of regular bail is allowed. Petitioner be admitted to bail to the satisfaction of the trial Court.

(FATEH DEEP SINGH)
JUDGE

October 23, 2018
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No