

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-45531 of 2018
Date of Decision: 23.10.2018

Sawita

....Petitioner

VERSUS

State of U.T. Chandigarh and another

....Respondents

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Subhash Kumar, Advocate
for the petitioner.

Ms. Ashima Mor, APP, UT Chandigarh.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.173 dated 31.07.2018 registered for offences punishable under Sections 306/34 of Indian Penal Code (for short, "IPC") at Police Station Maloya, Chandigarh.

Heard.

Petitioner is wife of Shiv Kumar, who committed suicide on 31.07.2018. As per suicide note, the deceased was married about 7 years earlier with the petitioner. Deceased has levelled allegations that his mother-in-law was not allowing his wife (petitioner) to live with him. She used to call her and compel the deceased to be a '*Ghar Jamai*'.

Learned counsel for the petitioner submits that Sunena mother of petitioner has already been allowed regular bail vide order dated 01.10.2018 passed in CRM-M-42173-2018.

The petitioner was arrested in this case on 01.08.2018. Final

report in the Court has also been filed.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will also take considerably long time, the present petition is allowed. Petitioner-Sawita is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) She shall not leave the country without the previous permission of the Court.

October 23, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No