

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 188 of 2019

- Smt. Sheela Bhardwaj Wd/o Late Umesh Bhardwaj Aged About 27 Years R/o Village Parsabhatha, Presently Residing At Nawapara (Lewai), Police Station Baloda, District Janjgir Champa Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The District Magistrate, Janjgir District Janjgir Champa Chhattisgarh

---- Respondent

For Applicant	: Shri CP Lahrey, Advocate.
For Respondent/State	: Shri DP Singh, Dy. AG.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

31/01/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as she is arrested in connection with crime No. 622/2018, registered at Police Station – Janjgir, District Janjgir-Champa (C.G.) for the offence punishable under Section 306 of the IPC.
2. In this case the applicant is the wife of the deceased namely Umesh Bhardwaj. As per prosecution story, the deceased was working in the office of Superintendent of Police, Janjgir (C.G.), his marriage was solemnized with the applicant in the year 2016. The deceased used to doubt in his wife's character, due to which she left him alone. On 13.09.2018, Umesh Bhardwaj committed suicide by hanging himself in his house, at that time the applicant was not present in the house. The deceased before committing suicide sent suicidal note to his brother namely Sukhchain Bhardwaj and others through social media. Allegation against the present applicant is only that her husband/deceased was used to doubt in her character due to which

she left her alone, therefore, the deceased was mentally harassed and committed suicide.

3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that on the basis of evidence available on record *prima facie* no case under Section 306 of the IPC can be made out against the present applicant, perusal of the suicide note it seems that only on account of doubt in her wife's character, the deceased committed suicide, the applicant is in custody since 07.10.2018, charge-sheet has already been filed and trial will take some time. Therefore, she may be released on bail.
4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that on account of doubt in her wife's character, the deceased committed suicide, the applicant is in custody since 07.10.2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for her appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge