

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM M-8329 of 2019

Date of Decision: February 28, 2019

Vipin

.....Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Navmohit Singh, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, Haryana.

FATEH DEEP SINGH, J. (Oral)

The allegations against petitioner Vipin in this regular bail application under Section 439 Cr.P.C. have been levelled by complainant Seema, who happens to be the sister of the deceased Babita. Allegations are that deceased Babita was married around 16/17 years ago and was bestowed with two kids and while residing in a rented accommodation entered into a relationship with the petitioner and which she had confided with the complainant. It is alleged that subsequently Vipin left the deceased with a view to enter into a wedlock and as a consequence of this relationship as has been

disclosed by the complainant to the deceased she felt bad about this deception and subsequently information was received by the complainant on 28.11.2018 that the deceased was admitted to hospital where she died as a consequence of consumption of poisonous substance leading to the registration of the present case and the arrest of the petitioner on 29.11.2018.

Mr. Navmohit Singh, learned counsel for the petitioner submits that from the perusal of the FIR and the evidence of the prosecution collected during the investigation, nothing is suggestive as to the role of the petitioner in the death of the deceased and that the petitioner is behind the bars and the trial is not likely to be concluded in near future.

Mr. Amrik Narwal, DAG, Haryana on instructions from ASI Ram Lal does not displace the facts brought to the notice of this Court by the counsel for the petitioner but has sought to oppose the grant of bail on the ground that if the petitioner is allowed bail, would stifle the trial.

Going through the submissions the very own stand of the State to the query posed by this Court, there is no semblance of evidence to connect the petitioner with the commission of this offence and the element of abetment to suicide could not be pointed by any means by the counsel for the State. The petitioner is behind the bars since long and the trial is not likely to be disposed in near future and culpability, if any, of the petitioner shall be determined at the trial.

This Court is of the opinion that it is a fit case for grant of bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off.

February 28, 2019
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No