

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-8482-2019

Date of decision: 05.03.2019

Parmila @ Pari

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Amit Choudhary, Advocate for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.08 dated 23.01.2018 under Sections 306, 34 IPC, registered at Police Station G.R.P. Hisar, District Hisar.

Learned counsel for the petitioner submits that the petitioner was arrested on 13.02.2018 and is not involved in any other case. It is further submitted that as per allegations in the FIR, got registered on the basis of statement of one Lovely, it is stated that the marriage of his uncle's son Vikram (since deceased) was fixed with a Nepali girl i.e. the petitioner, by wife of one Radhey Shyam Nain and after the marriage, Vikram remained under depression and was mentally disturbed. On asking, deceased informed him that wife of Radhey Shyam Nain, his sister Nirmala and his wife Pari are demanding Rs.2.00 lacs, which he could not pay, that is why he is tensed and even the petitioner had gone to deceased's sister Nirmala for transferring some land and money in their name and on that account, he has committed suicide. It is also

submitted that till date, FSL report has not been submitted before the trial Court regarding verification of the handwriting on the suicide note, which bears no date and the trial is going on and some prosecution evidence has been recorded.

Learned counsel for the petitioner further submits that one co-accused of the petitioner namely Om Patti wife of Radhey Shyam Nain, who was mediator in the marriage, has already been granted the concession of regular bail by this Court vide order dated 16.05.2018 passed in CRM-M-20053-2018.

Learned State counsel, on instructions from SI Virender Kumar, could not dispute the fact that FSL report is still awaited, however, opposed the prayer for bail on the ground that since the petitioner is resident of Nepal, in case she is granted bail, there is a possibility of absconding from the process of the Court.

After hearing learned counsel for the parties and going through the contents of the FIR as well as the suicide note, qua which FSL report has not been presented before the trial Court so far and also considering the fact that the petitioner is lady; she is in custody for the last one year and conclusion of the trial will take some time, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing her bail bond and one local surety, to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

05.03.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No