

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-27660-2019 (O&M)
Date of Decision:-4.10.2019

Meena ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sanjay Majithia, Senior Advocate with
Mr. Abhishek Sindhwani, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana,
assisted by ASI Radhe Shyam.

Mr. Pankaj Kaushik, Advocate for the complainant.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.0250 dated 1.10.2018 at Police Station Sadar Narwana under Section 304-B of Indian Penal Code.
2. The FIR was lodged at the instance of Pardeep, wherein it has been alleged that his sister was married to Sumit on 9.3.2015, but there used to be a fight amongst his sister and her husband almost daily and his sister had even disclosed to him that her husband Sumit was having illicit relations with his 'bhabhi' (sister-in-law) i.e. the petitioner and that she had personally witnessed the said act. It is alleged that although Panchayats were convened

to convince Sumit and other members of his family to make better sense prevail but to no avail. It is further alleged that there often used to remain quarrel between the complainant's sister and Sumit and one day he received a telephone call from Sonu, who informed that complainant's sister namely Pooja had consumed poison. It is further the case of prosecution that Pooja was admitted to hospital but she could not survive.

3. The learned counsel for the petitioner has submitted that even as per the FIR there is hardly any allegation to the effect that the petitioner had ever harassed the deceased in connection with any demand of dowry and that the only allegation, as per the FIR, is that the deceased i.e. the complainant's sister had, at one point of time, disclosed to the complainant that her husband was having illicit relations with his sister-in-law i.e. the present petitioner (Meena).
4. Opposing the petition, the learned State counsel assisted by the learned counsel for the complainant has submitted that since categoric allegations have been levelled against the petitioner, it is evident that it was the conduct of the petitioner in having illicit relations with husband of the deceased, which led to the commission of suicide by the deceased and in these circumstances, the petitioner does not deserve the concession of bail. It has further been submitted that since the petitioner had been evading arrest for almost eight months, therefore, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court. Bearing in mind the fact that the investigation has already concluded and challan stands presented and also that the petitioner, till date, has been behind bars since the last about four months and is a lady, in my opinion, further detention of the

petitioner will not serve any useful purpose as the conclusion of trial is likely to take some time. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

4.10.2019

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No