

214

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32967-2019
Date of decision-04.09.2019

Neeta Rani @ Neetu @ Nitu Nagpal @ Narayani
....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jasmeet Singh Ghumman, Advocate for the petitioner.

Mr. Hittan Nehra, Addl.AG, Punjab assisted by
ASI Sunil.

MANOJ BAJAJ, J.

Petitioner-Neeta Rani @ Neetu @ Nitu Nagpal @ Narayani has prayed for grant of regular bail in case FIR No.126 dated 13.09.2015 registered under Section 306 of Indian Penal Code, 1860 at Police Station Sadar Phagwara, District Kapurthala. The petitioner is in custody since her arrest on 10.06.2019.

The FIR was registered on the basis of the suicide note left behind by the victim, namely, Rajinder Kumar and the same reads as under:-

"I, Rajinder Kumar s/o Naval Kumar am very tense. The reason for this is the R.C of the motor cycle and other is Naryani and Rohit Nagpal. They had abused my Sweetty. Naryani had filed a false complaint against us and used

to get out signatures on papers repeatedly. Police started raiding our house. Rohit Nagpal etc. also used to abuse and harass Rajinder Kumar. I have no other troubles and I love my family. I love my child, my wife.”

Learned counsel for the petitioner contends that the victim had narrated two reasons in the suicide note. The first one relates to issue pertaining to registration certificate of the motorcycle which was aimed at some other person. The other reason described was that the petitioner and her husband, namely, Rohit Nagpal had abused the daughter of the victim before the Police. He contends that even if the complaint was given, that cannot be construed as a ground for abetment particularly when there was another reason also behind suicide. It is contended that the petitioner is bringing up her minor child with her in the jail, whereas, the husband of the petitioner (co-accused) has been extended the concession of regular bail by trial Court vide order dated 05.06.2017 (Annexure P-3).

On the other hand, learned State counsel assisted by ASI Sunil opposed the bail application on the ground that the petitioner was declared proclaimed offender on 23.10.2017. According to him, the prosecution is yet to examine its witnesses. The charges were framed on 18.11.2017.

Considering the above background and the fact that the trial of the case is likely to consume more time, this Court does not find any valid reason to detain the petitioner any further in custody who is a lady. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her

furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Kapurthala.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

04.09.2019

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No