

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH**

CRM-M-37372 of 2019.

Decided on:- September 19, 2019.

Nidhi.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.**

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Present:- Mr. Rajesh Kumar Sharma, Advocate  
for the petitioner.

Mr. Saurav Khurana, D.A.G., Punjab.

**HARI PAL VERMA, J. (Oral)**

The petitioner has filed present petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.44 dated 29.04.2019 under Sections 326-A and 506 IPC registered at Police Station Division No.4, District Ludhiana.

The aforesaid FIR was registered at the behest of complainant Nisha, who was working in Herbal Life Company, where people keep on visiting. About two months before the date of incident, Deepvansh resident of Daresi had come there and acquainted with her. Thereafter, the complainant and Deepvansh started talking each other on phone. About one month ago from the date of making such complaint, the complainant received a call from mobile phone No.80547-75212 from the petitioner-accused, who claimed herself to be Nidhi wife of Deepvansh. She asked the complainant not to talk with Deepvansh and also not to send the pictures of complainant and

Deepvansh on Whatsapp. When the complainant informed this fact to Deepvansh, he stated that he is not married with Nidhi and she is merely a friend. On 27.04.2019 at about 11.00 A.M., the complainant received a video call from the petitioner and Deepvansh was standing near her. The petitioner had claimed that Deepvansh is her husband. Then again the complainant discussed this matter with Deepvansh and he stated that he has no relation with the petitioner. At about 03.00 P.M., the petitioner called the complainant to her house at Mohalla Saida Vakeela Wali Gali, where the complainant asked about Deepvansh. She was informed that he had gone to the market. The allegation against the petitioner is that when the complainant had gone to the house of the petitioner-accused, she had thrown acid on the complainant.

Learned counsel for the petitioner has argued that the petitioner is in custody since 01.05.2019. The incident had occurred on 27.04.2019 and the FIR was registered after an inordinate delay of two days on 29.04.2019. The complainant is unnecessarily interfering in the matrimonial life of the petitioner, who was married with Deepvansh. Moreover, the burn injuries on the person of the complainant are superficial. Even the petitioner has also suffered burn injuries. The trial is not likely to be concluded in near future. Out of 14 prosecution witnesses, no witness has been examined so far.

Learned State counsel, on instructions from ASI Janak Raj, has argued that even the petitioner was not married with Deepvansh and at the most, they were living in live in relations, but at the same time, the petitioner cannot exceed to her rights by throwing acid on the face of the complainant

even if there were issues between them as regard the relationship with Deepvansh.

I have heard learned counsel for the parties.

The alleged incident had occurred on 27.04.2019, whereas the FIR in question was registered on 29.04.2019. There are 14 witnesses cited by the prosecution, but none of them has been examined so far. The conclusion of trial will take long time. In this manner, when the culpability of the petitioner is yet to be decided during the trial, this Court finds that the petitioner deserves to be admitted on bail.

Therefore, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

**September 19, 2019**

Yag Dutt

**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No