

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

CRM-M-14970-2020 (O&M)

Date of Decision: August 05, 2020

Narender

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

**Present: Mr. Inder Pal Singh, Advocate,
for the petitioner.**

Mr. Sukhdeep Parmar, DAG, Haryana.

**Mr. Harsh Aggarwal, Advocate,
for the complainant.**

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.370 dated 19.11.2019, under Sections 306 read with Section 34 IPC, registered at Police Station, Taraori, District Karnal. The petitioner is in custody since his arrest on 23.11.2019.

As per the allegations in the FIR, the complainant had two daughters and one son. His elder daughter, namely, Manisha was 28 years old and her marriage was solemnized on 07.02.2011 with Narender. From the very beginning of the marriage, his daughter had been harassed and humiliated by her husband, mother-in-law Kamla, father-in-law Balbir, two sisters-in-law, namely, Poonam and Suman and friend of his son-in-law, namely, Pardeep. On 18.11.2019 in the evening, at about 8.00 PM, they made a video call to their daughter, who was afraid and apprised them that

all the aforesaid persons used to harass and humiliate her. She also told that her husband was having illicit relations with some other woman. On 19.11.2019, his daughter's father-in-law Balbir at about 12 o'clock telephonically informed him that their daughter has committed suicide by hanging. On receipt of this information, he along with family and relatives went to his daughter's house at Tarori and found that no one was present in the house. All had fled away. When he came up stairs in the house, he saw dead body of his daughter in a room, which was lying on a bed. His daughter had committed suicide on account of harassment and humiliation caused by the above named accused persons. On these broad allegations, above FIR was registered.

Learned counsel for the petitioner contends that the wife of the petitioner suspected illicit relations of the petitioner with someone and ended her life voluntarily. He has submitted that the marriage of the petitioner with the victim was nine years old and their six years old child has been residing with the parents of the petitioner. He has further pointed out that allegations were levelled against the parents, sisters and friend of the petitioner as well, however, after investigation, they all were found innocent. He submits that the investigation of the case is complete and, therefore, his further custody may not be necessary. It is prayed that the petitioner be released on regular bail during the pendency of the trial.

On the other hand, learned State counsel, assisted by ASI Krishan Kumar, has opposed the prayer on the ground that the petitioner created the compelling circumstances for the victim to end her life as he indulged into the illicit relations. Mr. Parmar has not disputed this fact that the parents and other co-accused named by the complainant-Balwan Singh

were found innocent and challan against the petitioner alone has been filed on 29.01.2020. According to him, the charges are yet to be framed.

Considering the above background, custody of the petitioner and the fact that the trial is likely to consume considerable time to conclude as the country continues to be in the throes of global pandemic, namely, COVID-19 and the State Government and District Administration have also imposed various restrictions to curb its spread, this Court does not find any reason to decline the prayer of the petitioner. The petitioner after his arrest on 23.11.2019, is presently confined in judicial custody, therefore, his further decision behinds the bars may not be justified.

Resultantly, 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 his furnishing requisite bail bonds/surety bonds to the satisfaction of the CJM/trial Court, Karnal.

The petition is allowed.

August 05, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No