

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

CRM-M-16902-2020 (O&M)
Date of Decision:-4.8.2020

Vinod ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Kumar Yadav, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

Mr. Sarvjit Singh Khurana, Advocate for the complainant.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J.(Oral)

1. This is second petition under Section 439 Cr.P.C. filed on behalf of the petitioner Vinod seeking grant of regular bail in respect of a case registered vide FIR No.139 dated 8.5.2019 at Police Station Kasola, District Rewari under Sections 306 and 34 of Indian Penal Code.
2. The FIR was lodged at the instance of Vikram wherein it has been alleged that his daughter namely Jamna had appeared in class 12th examination and that on 8.5.2019 he received a call from his father that Jamna had committed suicide in their residence. Upon receipt of said information the complainant Vikram rushed back home where he found dead body of his daughter Jamana

hanging from hook of ceiling fan with a 'dupatta' (chunni). It is further alleged that a suicide note was also recovered written on the last page of a note book. It is further stated therein that previously also one FIR i.e. FIR No.81 dated 15.3.2019 at Police Station Kasola, District Rerwari under Sections 363, 366-A, 506 and 34 of Indian Penal Code had been registered against Varinder @ Billa and Vinod whose names figure in the suicide note.

3. The learned counsel for the petitioner has submitted that the deceased was having love affair with Varinder @ Billa but the parents of deceased were against their marriage and on account of which she committed suicide. The learned counsel has further submitted that even bare perusal of FIR would suggest that the deceased has referred the co-accused Varinder @ Billa as one, who is stated to have ruined her life and that the present petitioner is merely alleged to have conspired with Varinder @ Billa. The learned counsel has also submitted that, in any case, the petitioner has been behind bars since the last 1 year and 3 months and that since the complainant also stands examined subsequent to withdrawal of the earlier bail application, the petitioner deserves the concession of bail.
4. Opposing the petition, the learned counsel State counsel assisted by the learned counsel for the complainant has submitted that since the name of the petitioner specifically figures in the FIR and also figures in the earlier FIR i.e. FIR No.81 dated 15.3.2019, no case for grant of bail is made out.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view the fact that the suicide note mainly points towards co-accused Varinder @ Billa and that the petitioner, in any case, has been behind bars since the last 1 year and 3 months and the complainant already stands

examined, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and it is ordered that the petitioner be released on bail subject to his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

4.8.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

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