

207

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(Through Video Conferencing)

CRM-M No.19558 of 2020
Date of Decision: 07.08.2020

Azad

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Shivansh Malik, Advocate,
for the petitioner.

NIRMALJIT KAUR, J. (ORAL)

The prayer in the present petition is for grant of regular bail to the petitioner in case FIR No.129 dated 22.03.2019 under Sections 306/34 of IPC (thereafter converted to Section 304-B read with Section 34 of IPC), registered at Police Station Meham, District Rohtak.

Issue notice of motion.

Ms. Harpreet Kaur, AAG, Haryana, accepts notice on behalf of the respondent/State.

Learned State counsel while vehemently opposing the bail submitted that the bail application of co-accused Rajrati, who is the mother-in-law, has since been dismissed, vide order dated 11.12.2019 passed in CRM-M-45011 of 2019 and that the allegations against the petitioner that he doubted his daughter-in-law is enough to drive anyone to commit suicide.

Heard.

Learned counsel for the petitioner has pointed out the so called suicide note, on the basis of which, the allegations have been alleged against the petitioner, was not recovered from the matrimonial home but was produced by brother of the deceased from his own house, which is evident from Annexure P-12. Further, a perusal of the suicide note shows that the deceased seems to have heard her father-in-law on phone against her and the allegations against him are vague, whereas, the allegations against the mother-in-law are more specific and more clear alleging cruelty. Further, it was not brought to the notice of the Court hearing the bail application of the co-accused Rajrati, the mother-in-law that the charges stood framed under Section 306 read with Section 34 of IPC and not under Section 304-B of IPC under which challan had been filed.

In view of the above and taking into account that the present petitioner is father-in-law and he is 67 years of age and the entire family is in jail, besides being in custody since 01.04.2019, is ordered to be released on regular bail on his furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate.

Allowed, as above.

(NIRMALJIT KAUR)
JUDGE

07.08.2020
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No