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

CRM-M No. 32993 of 2020
Date of Decision: 27.10.2020

Santosh

-Petitioner

Vs

State of Haryana

-Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Vinod K. Kaushal, Advocate,
for the petitioner.

Mr. Kirpal Singh Thakur, A.A.G., Haryana.

RAJ MOHAN SINGH, J. (ORAL)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C. in case bearing FIR No.280 dated 10.07.2020 under Sections 306, 34 IPC registered at Police Station Faridabad Central, District Faridabad.

Petitioner is mother-in-law of the deceased namely Bharat.

FIR was registered at the instance of complainant Ombir- father of deceased Bharat. Marriage of Bharat was solemnized with Pooja. The couple was not pulling well. On 10.07.2020, Bharat committed suicide due to alleged

harassment on the part of accused.

It has been alleged that on 09.07.2020, accused persons had visited the house of the deceased and threatened him. Bharat was given beatings on many occasions. The accused are father-in-law, mother-in-law (petitioner), brother-in-law and wife of the deceased.

Learned counsel for the petitioner submits that the petitioner is in custody since 25.07.2020. Family of the deceased used to harass Pooja for bringing less dowry.

On the basis of complaint made by Pooja, DDR No.18 dated 18.05.2019 was registered at Police Post, Sector 15, Faridabad and Pooja was medico-legally examined. The matter was compromised thereafter. The deceased undertook not to harass Pooja i.e. daughter of the petitioner. The deceased committed suicide in his house i.e. the house of his parents.

At the time of commission of suicide, Pooja was in the house of the petitioner.

Learned counsel further submits that in order to constitute offence under Section 306 IPC, there has to be a concerted effort on behalf of the accused to compel the deceased upto the last moment so as to pressurize him to commit suicide. Ingredients of offence under Section 306 IPC are not attracted.

Learned State counsel on instructions from ASI Sunil Kumar submits that DDR No.18 dated 18.05.2019 was ultimately compromised. There is no suicide note left by the deceased.

Challan has already been presented, but charges have not been framed.

Two of the co-accused are still to be arrested.

Keeping in view the status of the petitioner being that of mother-in-law of the deceased and the alleged role in the case, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, the petition is allowed. Petitioner is directed to be released on regular bail, subject to her furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an opinion on the merits of the case.

27.10.2020
Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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|----|---------------------------|---|--------|
| 1. | Whether speaking/reasoned | : | Yes/No |
| 2. | Whether reportable | : | Yes/No |