

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****216****CRM-M-41593-2020 (O&M)**
Date of Decision: 16.12.2020

Akhil Sharma

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ajay Ghangas, Advocate, for the petitioner.

Mr. Ramesh K. Ambavta, AAG, Haryana,
assisted by ASI Badri Prasad.Mr. Tanvir S. Grewal, Advocate, for
Mr. N.S.Shekhawat, Advocate, for the complainant.*(proceedings conducted through video conferencing)***GURVINDER SINGH GILL, J. (Oral)**

1. The petitioner seeks grant of regular bail in a case registered against him vide FIR No.307 dated 09.05.2020 at Police Station Ballabhgarh City, District Faridabad under Sections 306 and 34 of Indian Penal Code.
2. The FIR was registered at the instance of Rameshwer Dayal, wherein it is alleged that his son Neeraj (deceased) was married to Anjali Sharma and that Anjali Sharma, however, used to quarrel with her husband i.e. deceased Neeraj and also with the complainant and other members of his family. It is alleged that complainant's son had told him that Anjali Sharma used to talk to another boy namely Lokesh and when Neeraj objected to the same,

Anjali Sharma quarreled with him and threatened that she would implicate Neeraj and other members of his family. It is further alleged that later Anjali Sharma as well as her parents and other relatives gave beatings to the complainant and his wife regarding which the matter was reported to the police. It is alleged that Neeraj being fed up with the conduct of his wife and other members of her family ultimately ended his life by hanging himself on the night intervening of 8/9.5.2020.

3. The learned counsel for the petitioner has submitted that the petitioner happens to be a cousin of Anjali Sharma i.e. wife of the deceased and the complainant simply in order to involve maximum number of relatives of Anjali Sharma, had nominated the petitioner as an accused. It has further been submitted that the main accused i.e. Anjail Sharma as well as her parents have already been granted bail and that in these circumstances, the petitioner in any case deserves the concession on the grounds of parity.
4. On the other hand, the learned State counsel assisted by learned counsel for the complainant has opposed the petition and it has been submitted that the name of the petitioner specifically figures in the suicide note and in fact one day prior to the incident in question, the petitioner along with other accused had inflicted injuries to the parents of the deceased regarding which a separate FIR had been registered in which the petitioner has been arrayed as an accused. Learned State counsel has, however, informed that the petitioner has been behind bars since last about 3 months and that challan already stands presented.

5. I have considered rival submissions addressed before this Court.
6. Having regard to the facts and circumstances of the case especially that the main accused and other accused have already been released on bail, it would be debatable as to whether the petitioner, who happens to be the cousin of Anjali Sharma (main accused), had indeed any role in abetting the suicide or not. In any case, since the petitioner has been behind bars since the last 3 months and challan already stands presented, further detention of the petitioner will not serve any useful purpose as the conclusion of trial will take some time. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

16.12.2020
Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**