

CRM-M-39001-2019 (O&M)

Date of decision: 29.09.2020

Ranjor @ Rajan

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. K.P. Singh, Advocate
for the petitioner.Mr. B.S. Virk, DAG, Haryana
for the respondent-State.**FATEH DEEP SINGH, J. (ORAL)****CRM-20587-2020**

Learned counsel for the applicant/petitioner has made
statement withdrawing the present application.

Allowed to do so.

Dismissed as withdrawn.

CRM-M-39001-2019

The petitioner-Ranjor @ Rajan who is in custody since
07.03.2018 in this case got registered by way of FIR No.45 dated
16.02.2018 under Sections 304-B, 201 and 34 of the Indian Penal
Code registered at Police Station Taraori, District Karnal, has sought

this second regular bail under Section 439 Cr.P.C. (the first one having been dismissed as withdrawn vide order dated 27.08.2019).

The contentions of learned counsel for the petitioner are that the very own document of the prosecution, the suicide note, written by the deceased (Annexure P-1) reflects that she, on her own, without any cause, has committed suicide for which she holds no one responsible. It is further submitted that being a suicide, the authorities did not deem it appropriate to conduct post mortem examination and there is no semblance of evidence connecting the petitioner/husband in the commission of the crime who is in custody since more than 02 years and 07 months.

Though the learned State counsel does not displace the facts but has opposed the bail on the grounds that trial is underway wherein the principal witnesses have been examined and who have resiled.

In light of the fact that there is no post mortem to establish the cause of death, the admitted document i.e. the suicide note, purported to have been written by the deceased exonerates and thus, a debatable issue arises over the culpability of this death together with the fact that petitioner is behind the bars since long time and trial is not likely to be concluded on account of this COVID-19 pandemic, this Court deems it fit to allow the present petition.

In light of the same, this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in

the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate.

The petition stands disposed off accordingly.

29.09.2020

Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No