

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

(Heard through VC)

CRM-7893-7894-2021 in/and
CRM-M-9992 of 2021 (O&M)
Date of Decision: March 19, 2021

Suman @ Sona

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Amit Choudhary, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG Haryana.

Mr. Ravinder Kumar, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

CRM-7893-2021

This is an application that has been filed seeking to prepone hearing in the main case, which is now listed for 21.05.2021.

For the reasons mentioned in the application, the same is allowed. Hearing in the main case is preponed and the same is taken up for hearing today.

CRM-7894-2021

Allowed as prayed for.

Document Annexure P-8 is taken on record.

CRM-M-9992-2021

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.238 dated 07.07.2020, under Section 346 of Indian Penal Code (Later on, Sections 328, 364, 302, 201, 34 of IPC have been added and Section 346 of IPC has been deleted), registered at Police Station Sadar Fatehabad, District Fatehabad.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 26.10.2020. It is argued that the petitioner did not have anything to do with the death of wife of the complainant, while contending that the challan has already been presented and it will take sufficient time to conclude the trial, as such, the petitioner is entitled to be enlarged on bail. Counsel for the petitioner would rely upon an affidavit (Annexure P-8) furnished by the complainant i.e. his brother to the effect that he would have no objection in case bail is allowed to the petitioner herein.

On the other hand, counsel for the complainant, who has appeared on behalf of the complainant and shared his power of attorney on the whatsapp group, supports the plea of the petitioner herein for grant of regular bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the petitioner herein has been nominated as an accused in present FIR, which has been filed alleging

that the accused had murdered the wife of the petitioner, hence, it is a case of honour killing. However, she does not dispute the fact that the challan stands presented.

I have heard learned counsel for the parties.

In view of the facts that the petitioner herein has been in custody since 26.10.2020; investigation is complete, as the challan has already been presented; the petitioner is a young lady and also a student; and that the complainant, who is the real brother of the petitioner, has no objection in allowing regular bail to her, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

However, anything observed or said by this court is only for the purpose of deciding the instant petition for grant of regular bail and the same shall have no affect on the merits of the case.

March 19, 2021

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(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No