

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

CRM-M No.20387 of 2021 (O&M)

Date of Decision:26.08.2021

(Heard through VC)

Suraj Kumar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kshitij Bharati, Advocate
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.519 dated 18.09.2020 under Sections 306 & 34 IPC (Section 34 IPC deleted later on) registered at Police Station City Narnaul, District Mahendergarh.

Counsel for the petitioner would contend that the petitioner has been falsely implicated in the said matter. It is further contended that the petitioner and the deceased had been married for 22 years, however, she committed suicide. An FIR under Section 306 IPC came to be registered at the behest of the brother of deceased stating that the petitioner herein had developed an illicit relation with a lady namely Maya and was harassing his sister for last three to four years and he was wanting a divorce. In the FIR, it is further stated that the petitioner and others collectively killed his sister or compelled her to die. It is further contended that there is no suicide note available nor the children have supported the allegation that their father was

in a relationship with said Maya, while contending that she fell from the roof. It is also argued that allegations in the FIR would not support an offence under Section 306 IPC or abetment of the said crime. It is also submitted that the investigation has been completed and challan stands presented, therefore, custody of the petitioner would no longer be required.

Learned counsel for the respondent-State would oppose grant of bail to the petitioner by contending that the material witnesses are yet to be examined, however, she does not dispute the fact that investigation has been completed and challan stands presented.

I have heard counsel for the parties. Keeping in view the fact that investigation has been completed and challan stands presented and the fact that the trial is likely to take some time to conclude, no useful purpose would be served in keeping the petitioner behind bars. The instant petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal/surety bond to the satisfaction of concerned trial Court/Duty Magistrate with a condition that the petitioner would not make any attempt to contact the complainant in any manner whatsoever. However, any observation made herein shall not be construed to be an expression on merits of the case.

August 26, 2021
P.Bhatt/Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No