

CRM-M-28040-2021 (O&M)

Date of Decision:30.9.2021

Reena

..... Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Rajesh Khandelwal, Advocate, for the petitioner.

Mr. Manish Bansal, Deputy Advocate General, Haryana.

Rajesh Bhardwaj, J. (ORAL)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.90 dated 7.4.2021 under Sections 147, 148 and 302 IPC (Sections 147, 148 and 302 IPC deleted and Sections 306 and 34 IPC added lateron) registered at Police Station Sadar Hansi.

It has been contended that the FIR in question was registered on the statement of Vijay Singh, who is the father of the deceased on the allegations that his daughter Meena was married to Madan son of Balbir in the year 2013. He alleged that after the marriage, his daughter was harassed by the in-laws i.e. husband Madan, father-in-law Balbir, mother-in-law Savitri and sister-in-law Reena. It has been alleged that due to harassment caused to his daughter, she committed suicide by hanging at her matrimonial home. It was prayed that action be taken against the alleged culprits. The investigation commenced and on completion of the same,

challan was presented.

It has been contended by learned counsel for the petitioner that the petitioner before this Court is married sister-in-law of the deceased and is residing separately at her matrimonial home. He would submit that the allegations made in the FIR are totally false and frivolous and no offence as alleged in the FIR is made out against the petitioner. He would submit that bare reading of allegations made in the FIR in the light of Section 107 and 306 IPC would show that no abetment whatsoever on the part of the petitioner is made out. He has submitted that the petitioner is behind bars since 29.4.2021 and the investigation is complete and therefore, the incarceration of the petitioner is totally unwarranted.

Learned State counsel has refuted the arguments raised by learned counsel for the petitioner and submitted that the petitioner is specifically named in the FIR. She being sister-in-law of deceased would be liable for abetment to suicide by the deceased. However, he submits that the investigation is complete and challan has been presented and charges have also been framed. He has candidly submitted that now the case is fixed for 15.11.2021.

Heard learned counsel for the parties.

It is apparent that the petitioner is married sister-in-law and is residing separately from her parental family and she is behind bars since 29.4.2021. The investigation is complete and charges are framed. The trial would take some time to conclude. In the overall facts and circumstances of the case, I find that learned counsel for the petitioner has made out a case for grant for regular bail. Accordingly, the present petition is allowed and

the petitioner is ordered to be released on bail to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

30.9.2021
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(RAJESH BHARDWAJ)
JUDGE

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No