

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-27257 of 2020 (O&M)

Date of decision : January 07, 2021

Rajrati

....Petitioner

versus

State of Haryana

....Respondent

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Mr. Shivansh Malik, Advocate, for the petitioner

Mr. Gaurav Jindal, Addl. AG Haryana

Fateh Deep Singh, J. (Oral)

CRM-45-2021

The matter has been taken up through Video-conferencing on account of outbreak of pandemic COVID-19.

Since the present application has been filed in compliance of orders dated 11.12.2020, the same stands allowed and true typed copies of suicide note Annexure P-19 is taken on record.

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Petitioner Rajrati mother-in-law, accused in case No. 129 dated 22.3.2019, under Sections 306 IPC and 34 IPC, Police Station Meham and thereafter case was converted to Sections 304-B read with Section 34 IPC, has come up in this second regular bail application under Section 439 Cr.P.C. (the first one having declined on 11.12.2019).

The present case was got registered on the statement of Birmati mother of deceased Anju. The marriage between Anju and Manoj son of the petitioner was solemnized on 23.12.2012 and that on account of squabbles in the family, especially with the petitioner, the deceased committed suicide by hanging and left behind a suicide note.

Learned counsel for the petitioner contends that the petitioner is behind the bars for almost one year and ten months and that there is no specific allegations against the petitioner for having compelled the deceased to commit suicide. It is further contended that it is a normal wear and tear in the matrimony and neither there is any demand of dowry much less harassment and cruelty.

Learned State counsel has strongly opposed the bail on the grounds that it was the petitioner who was instrumental in

bringing about this friction in the life of the deceased who was forced to take this drastic step and in view of heinousness of offence disentitles her to any relief.

A close look at the FIR and the suicide note left behind the deceased, there is no allegations against the petitioner for being instrumental in forcing the deceased to take this step. What one could perceive is that it is a normal wear and tear in a matrimonial life of a normal Indian household. The petitioner is behind the bars since long time. Culpability, if any, would be determined at the trial together with the fact that in view of the prevailing COVID-19 pandemic being an aged lady, it would not be appropriate to keep the petitioner behind the bars. Accordingly, she is ordered to be released on regular bail to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The present petition stands disposed off accordingly.

The observations made herein above shall have no bearing on the merits of the case as these are purely for the disposal of the present bail application.

January 07, 2021
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(Fateh Deep Singh)
Judge

Whether speaking/reasoned ?
Whether Reportable ?

Yes/No
Yes/No