

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

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CRM-M-36668-2021.

Date of Decision: 12.11.2021.

Aditi Khatri

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Manuj Nagrath, Advocate for petitioner (through V.C.).

Mr. Mehardeep Singh, Additional Advocate General, Punjab.

Mr. G.S. Jagpal, Advocate for complainant.

Lalit Batra, J.(Oral)

This petition under Section 439 Cr.P.C for grant of regular bail has been moved by petitioner-**Aditi Khatri** in case FIR No.60 dated 28.02.2021 under Section 306 IPC, registered at Police Station Salem Tabri, District Police Commissionerate, Ludhiana.

Learned counsel for the petitioner *inter alia* contends that version, as alleged in the FIR, is totally concocted and there is no iota of truth therein. He further submits that as a matter of fact on account of love affair, petitioner and Himanshu (since deceased) got married in October, 2019 and lateron their marriage was got solemnized on 13.12.2019 by family members of Himanshu (since deceased). He further urges that petitioner was subjected to cruelty by her in-laws as they used to demand money from her. He further submits that as petitioner was unable to fulfill their illegal demands, she was thrown out of her matrimonial home. He

further submits that as petitioner was subjected to cruelty and further on account of marital discord, she was living separately from Himanshu (since deceased) at the relevant time. He further urges that there is no suicide note of Himanshu (since deceased) or direct allegation against the petitioner for abetment to commit suicide and as such the allegations do not *prima-facie* constitute the offence under Section 306 IPC. He further urges that petitioner is languishing in custody since 02.07.2021 and she is no more required by the Investigating Agency for any investigation purpose as after completion of investigation, final report as envisaged under Section 173 Cr.P.C. (*Challan*) has already been presented in Court. He further submits that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and she may be released on bail.

On the other hand, learned State counsel assisted by learned counsel for the complainant while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

Custody certificate filed by learned State counsel is taken on record.

I have heard learned counsel for the parties and carefully gone through the record of the case.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is languishing in custody since 02.07.2021; that petitioner is no more required by the Investigating Agency

envisaged under Section 173 Cr.P.C. (*Challan*) has already been presented in Court and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, she deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner-**Aditi Khatri** is allowed and she is ordered to be released on bail on her furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Ludhiana, as the case may be.

(LALIT BATRA)
JUDGE

12.11.2021
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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No