

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM-M-36661 of 2020.

Decided on:- February 09, 2021.

Rajni Devi alias Sabana.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Arun Sharma, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.283 dated 23.09.2020 under Section 306 read with Section 34 IPC registered at Police Station Naraingarh, District Ambala.

The aforesaid FIR was registered against the petitioner on the statement of Randhir Singh alleging therein that his son Sanjeev Kumar (deceased) solemnised marriage with the petitioner about 14 years back. Sanjeev (deceased) was running a Karyana shop at Kala Amb. There are two children from this wedlock. Petitioner Rajni and Sanjeev (deceased) used to quarrel with each other oftenly as the petitioner used to talk with one Satparkash @ Babla on mobile phone and they had illicit relations. The

petitioner, after quarrelling with Sanjeev (deceased), used to stay with Satparkash @ Babla for many days and due to this reason, the deceased was being defamed in the society. Efforts were made to get them understand through Panchayat, but of no use. About 5-6 days ago, the petitioner, after fighting with the deceased, had gone to Satparkash @ Babla and for this reason, the deceased was upset. As usual, when the complainant had visited the shop of Sanjeev (deceased) at about 07.00 A.M., Sanjeev (deceased) came there along with breakfast for the complainant at about 09.00 A.M. and at that time, he was very tense. Samay Singh, who was brother-in-law of the deceased was also present there. Thereafter, Sanjeev (deceased) went to his shop and his brother-in-law also went to the house after taking some articles. After about 2 hours, Samay Singh brother-in-law of the deceased came to the complainant and disclosed that Sanjeev has committed suicide by hanging with ceiling fan at his house.

Learned counsel for the petitioner has argued that the petitioner is in custody since 23.09.2020. The suicide note left by the deceased is not signed by him and needs to be proved during the trial. The petitioner and the deceased had solemnised love marriage and sought protection of their life and liberty from this Court. At the time when the deceased committed suicide, the petitioner was not present at the house.

Learned State counsel does not dispute the custody. However, she submits that though the suicide note was not signed by the deceased, but it was written by him.

I have heard learned counsel for the parties.

Considering the fact that the petitioner is in custody since 23.09.2020 and the trial is not likely to be concluded in near future coupled with the fact that the authenticity of suicide note is a matter which is to be appreciated during the trial, this Court deems it appropriate to admit the petitioner on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court.

The observations made hereinabove shall not be construed as any expression of opinion on the merits of the case. The trial Court shall decide the case without being influenced with these observations in any manner.

February 09, 2021
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No