

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

CRM-M-20814-2022

Date of Decision:-25.08.2022

REKHA

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ashwani Kumar Antil, Advocate for the petitioner.

Ms. Harpreet Kaur, DAG, Haryana.

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.0130 dated 13.04.2021 registered under Sections 306, read with 34 of IPC at Police Station Sadar Gohana, District Sonipat.

The counsel for the petitioner submits that the petitioner was mother-in-law of deceased Deepak, who got married with Kajal daughter of the petitioner. The counsel for the petitioner further submits that the petitioner is not responsible in any manner for the death of Deepak. The counsel for the petitioner further submits that the petitioner is in custody for the last more than 01 year and 01 month and it will take time for trial to conclude and as such no purpose is going to be served by keeping the petitioner in custody for any longer period.

Reply by way of affidavit of Mukesh Kumar, HPS, Deputy Superintendent of Police, Gohana, Sonipat has been filed on behalf of respondent-State and the same is taken on record.

The present petition is resisted by the State counsel who submits that the petitioner and her daughter Kajal used to harass Deepak. The State counsel further submits that both of them demanded money from the deceased and on account of the harassment being caused by the petitioner and Kajal, Deepak

committed suicide on 11.04.2021 by consuming poisonous substance. The State counsel further submits that at this stage when the trial is at its initial stage no ground is made out to grant bail to the petitioner.

I have considered the submissions made by counsel for the parties.

Admittedly, the petitioner was mother-in-law of deceased Deepak who got married with Kajal daughter of the petitioner. Deepak committed suicide on 11.04.2021 and his brother Ashok reported the matter to the Police and consequently the FIR in the present case was registered. The petitioner was arrested and as per the custody certificate furnished by the State counsel, petitioner is recorded to be in custody for the last more than 01 year and 01 month and is not involved in any other criminal case.

As per the prosecution story one suicide note was recovered which was left behind by deceased Deepak. After completion of investigation the Police has presented the challan and now case is fixed for prosecution evidence.

From the perusal of Annexure P-2 it appears that during trial complainant Ashok while appearing in the witness-box has not supported the case of the prosecution. It will take considerable time for the trial to terminate.

In the light of the above, this Court is of the view that no purpose is going to be served by prolonging judicial incarceration of the petitioner for any longer period.

Thus without commenting on the merits of the case the present petition is allowed and the petitioner is ordered to be released on regular bail, subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

25th August, 2022
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(KARAMJIT SINGH)
JUDGE