

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

**CRM-M-26106-2023**

**Date of Decision:-26.07.2023**

**Sunita.**

.....Petitioner.

Vs.

**State of Haryana.**

.....Respondent.

**CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

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

Mr. Kanwar Sanjiv Kumar, AAG Haryana.

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**JASJIT SINGH BEDI, J.(ORAL)**

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.234 dated 22.06.2021 under Sections 306, 34 IPC registered at Police Station Baroda, District Sonipat.

2. The present FIR came to be registered at the instance of one Karambir who stated that his brother Kashmir Singh was married about 12/13 years ago with Sunita (petitioner). His brother was being harassed by his wife Sunita, her brother Sandeep alongwith her mother and elder daughter (from an earlier marriage)-Poonam. The mother-in-law and brother-in-law used to harass him by coming to his house. On 22.6.2021, after being fed up with the above mentioned persons he had ended his life by hanging. During the search a suicide note had also been found. Legal action was sought.

3. The counsel for the petitioner contends that the petitioner who is a lady has been falsely implicated in the present case. The petitioner had in fact not been residing at the matrimonial home for 20 days prior to the incident and there was no evidence to suggest that during the said period the petitioner had harassed the deceased in any manner. The alleged suicide note had been fabricated by the complainant. As the petitioner was in custody

since 19.10.2022, only 03 out of 16 prosecution witnesses had been examined so far and she was a first time offender, she was entitled to the concession of bail.

4. The Counsel for the State on the other hand contends that the petitioner harassed the deceased to such an extent that he was compelled to commit suicide. A suicide note had been left by the deceased inculcating the petitioner. Therefore, the nature of the allegations levelled against the petitioner in the FIR coupled with the suicide note did not entitle her to the grant of bail. He however concedes that the petitioner is in custody since 19.10.2022, only 03 out of 16 prosecution witnesses had been examined so far and that she is a first time offender.

5. I have heard counsel for both the parties at length.

6. The veracity of the prosecution case against the petitioner shall be a matter of adjudication during the course of the Trial. Admittedly, the petitioner is in custody since 19.10.2022 and only 03 of the 16 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation her further incarceration is not required.

7. Thus, without commenting on the merits of the case, the petitioner-**Sunita** wife of late Sh. Kashmir Singh is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, concerned.

8. The petition stands disposed of.

( JASJIT SINGH BEDI )  
JUDGE

July 26, 2023

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |