

2023:PHHC:117675

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

209

CRM-M-31926-2023

Date of decision: 06.09.2023

HARISH RANJAN

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

CORAM : HON'BLE MS. JUSTICE NIDHI GUPTA

Present: Mr. Vishal Sharma Haritwal, Advocate
for the petitioner.

Mr. Arjun Lakhanpal, Addl. AG, Haryana assisted by
ASI Charan Singh.

NIDHI GUPTA, J.(ORAL)

The present petition has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner in case FIR No.354 dated
11.09.2022 under Sections 304-B and 34 of IPC, registered at Police Station
Badshahpur, District Gurugram.

2. The FIR was registered on the basis of statement of father of
deceased and is reproduced as under:-

“Sir, it is requested that I am Ranjan Singh son of Late
Shri Santial Singh resident of street No 2 Adarsh Vihar
Colony, Rukunpura Police Station, Rupaspur District, Patna
(Bihar) and do building material work. I have two sons and
daughters. Of which the second number daughter Nisha
Kumari age 26 Years got married and all three children are
unmarried. The marriage of my girl Nisha Kumari was on
16.02.2020 with Harish Ranjan son of Abhyanand Sinha
resident of street no 6 Vijay Nagar Thana is with Rupaspur
District Patna. Was solemnized according to Hindu customs, I
had donated more than expected in the marriage of my

daughter Nisha Kumari so that no one from the in-laws side would disturb my daughter. Even after marriage, Harish Ranjan used to harass my daughter Nisha Kumari mentally, alongwith that Abhyanand and mother-in-law Renu Kumari and sister in law Manisha Kumari and uncle father-in-law Pawan Kumar also supported Harish Ranjan. When my daughter used to come to our house after getting upset with these people, she used to tell that my father-in-law, my mother-in-law, my sister-in-law, my husband Harish Ranjan and uncle father-in-law Pawan Kumar harass me on the pretext of bringing lesser donation in marriage. My daughter told this thing three or four times. After listening to these things, I made my son-in-law understand and also socially called panchayat. After that my son-in-law had come to Gurgaon leaving my daughter at home about three months ago and had gone saying that when you will bring money and goods from your family, then only I will take you with me. But at the behest of my son-in-law and his father, I had sent my girl about one and half months ago. My daughter was living separately in Gurgaon Sukhrali at P.G. My son Manish Kumar is also living in the neighboring PG. On 07.09.2022 my son Manish took my daughter Nisha on rented flat taken by my son-in-law in flat number 501 Tower 15 Pyramid Urban Homes Society Sector 70-A Gurugram and left to his PG leaving Nisha with my son-in-law after making both of them understand. Today on 11.09.2022 time around 11.00 AM I was in my house in Patna that my wife got a call from my son Manish that Nisha Kumar has hanged herself inside the flat. When my wife Manorama Devi told me, I came to you with my relative Niranjana Kumar at the same time. I have come to know from myself and my son that my daughter Nisha Kumar has ended her life by hanging due to mental torture and beatings given by her husband Harish Ranjan and his family members for asking for donations. I will present the list of donations given in marriage later: Justice should be done by taking strict action against my daughter Nisha Kumari's

husband Harish Ranjan, father-in-law Abhayanand Sinha and mother-in-law Renu Kumari and sister-in-law Manisha Kumari and uncle father-in-law Pawan Kumar Sd/- Ranjan Singh 9334878311. dated 11.09.2022.”

3. Learned counsel for the petitioner *inter alia* submits that the petitioner married the deceased on 16.02.2020 and they had been living separately since June/July, 2022. Learned counsel submitted that since 03 months prior to the date of incident, which is 11.09.2022, the deceased had been living in her parental home, and had returned to the matrimonial home of the petitioner only on 10.09.2022 i.e. one day prior to the date of incident. Learned counsel further submits that no child was born out of the wedlock.

4. Learned State counsel has filed the status report dated 29.08.2023 by way of affidavit of Manoj Kumar, HPS, Assistant Commissioner of Police, Headquarter, Gurugram on behalf of respondent-State along with custody certificate dated 05.09.2023, the same are taken on record. A perusal of custody certificate indicates that the petitioner has been in custody for a period of 11 months and 23 days. Learned State counsel states that challan stands present but charges are yet to be framed, and the next date of hearing before the trial Court is 03.10.2023.

5. I have heard learned counsel for the parties.

6. Without commenting on the merits of the case, in view of the fact that the petitioner has been in custody since 12.09.2022, and has undergone 11 months and 23 days in custody, and custody certificate shows that the petitioner has clean antecedents, and conclusion of trial would take time, present petition is **allowed**; and petitioner-Harish Ranjan S/o Abhayanand Sinha is ordered to be released on regular bail on his

furnishing bail and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

7. However, it is made clear that nothing stated above shall be construed as an expression of opinion on the merits of the case.
8. Pending application(s) if any also stand(s) disposed of.

September 06, 2023
nisha-II

(NIDHI GUPTA)
JUDGE

<i>Whether reasoned/speaking?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>