

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

CRM-M-43091-2023

Date of Decision: 05.09.2023

UMED SINGH @ SETHI
V/S
STATE OF HARYANA

... PETITIONER

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sandeep Raj Duggal, Advocate for the petitioner.
Mr. Ranvir Singh Arya, Addl. AG Haryana.

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VIVEK PURI, J. (ORAL)

1. Petitioner is seeking regular bail in case bearing FIR No. 112 dated 24.03.2022 under Sections 498-A, 406, 302 and 201 IPC (Section 302 IPC deleted and Section 306 IPC added later on), registered at Police Station Sadar Rohtak, District Rohtak.

2. Custody certificate has been taken on record.

3. Learned counsel for the petitioner contends that the marriage of the petitioner was solemnized with the deceased on 02.07.2013. The allegations against the petitioner and his family members were to the effect that they had demanded cash amount from the parental family of the deceased. The other family members of the petitioner were found to be innocent and the challan has been presented only against the petitioner. The deceased has not recorded any suicide note and no complaint was submitted at any Forum by the deceased or her parental family members during her lifetime. The two children of the petitioner are presently under the care and custody of the parents of the petitioner. The petitioner is in custody for a period of 1 year, 5 months and 8 days and not involved in any other case.

Till date no witness on behalf of the prosecution has been examined.

4. Learned State counsel, on instructions from ASI Devi Singh, has opposed the bail application on the score that there are categorical allegations with regard to demand of cash which prompted the deceased to commit suicide. It has been stated that out of 29, no witness has been examined till date.

5. It has not been disputed that the charge has been framed under Sections 498-A, 406, 306 and 201 IPC. The marriage of the deceased was solemnized about 9-1/2 years prior to the occurrence. The deceased had not recorded any suicide note. Even no complaint was submitted against the petitioner at any Forum by the deceased or her parental family members during her lifetime. No witness has been examined till date. The petitioner is in custody for a period of 1 year, 5 months and 8 days and not involved in any other case. The conclusion of trial is likely to take some more time and no fruitful purpose would be served by detaining the petitioner in further custody.

6. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to his furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

7. The petition is allowed.

05.09.2023

Janki

**(VIVEK PURI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No