

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46121 of 2022(O&M)
Date of Decision: 19.04.2023

Kajal

...Petitioner

Versus

State of Haryana

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

**Present:- Mr. Gautam Kaile, Advocate
For the petitioner.**

Mr. Naveen Sheoran, DAG Haryana.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in case having FIR No. 130 dated 13.04.2021, registered under Section 306 read with Section 34 IPC at Police Station Sadar Gohana.

The allegations in nutshell are that petitioner got married with Deepak, who lateron committed suicide. There are also allegations that petitioner and her mother compelled and abetted Deepak to commit suicide.

The counsel for the petitioner submits that petitioner is wife of deceased Deepak and she is not responsible in any manner for death of her husband. The counsel for the petitioner further submits that the petitioner is in custody for the last more than 01 year and 09 months and during trial complainant Ashok who is cousin brother of the complainant, while

appearing in the witness box has not supported the case of prosecution and the copy of her deposition is Annexure P-2. The counsel for the petitioner further submits that it will take time for the trial to conclude. So, petitioner be released on regular bail.

The present petition is contested by the State counsel who submits that petitioner and her mother used to harass Deepak and they also demanded money from him and on account of said harassment, Deepak committed suicide on 11.04.2021 by consuming poisonous substance. The State counsel further submits that the trial is going on. However, the State counsel has not disputed the fact that complainant Ashok while appearing in the witness box has resiled from his previous statement and that on the same basis co-accused Rekha, mother of the petitioner is already enlarged on regular bail.

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

Admittedly, Deepak husband of the petitioner committed suicide on 11.04.2021 and his brother Ashok reported the matter to the police and consequently FIR in the present case was registered. As per the prosecution case, Deepak before committing suicide left behind one suicide note against the petitioner and her mother. The petitioner was arrested and is in custody for the last more than 01 year and 09 months and is having no criminal history.

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. So, no purpose is going to be served by prolonging the judicial custody of the petitioner.

Thus, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

19.04.2023

Jiten

**(KARAMJIT SINGH)
JUDGE****Whether speaking/reasoned : Yes/No****Whether reportable : Yes/No**