

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CRM-M-47925-2022
Date of Decision: 22.02.2023

Monika @ Mohini

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present Mr.Shashikant Gupta, Advocate
for the petitioner.
Mr.Rahul Mohan, DAG, Haryana

MANJARI NEHRU KAUL, J(ORAL)

The petitioner is seeking concession of bail under Section 439 Cr.P.C in case FIR no.132 dated 21.04.2021, under Section 306 IPC, registered at Police Station Sadar Narnaul, District Mahendergarh.

2. Learned counsel while drawing the attention of this Court to the FIR which has been annexed as Annexure P-1 and registered at the instance of the nephew of the deceased, submits that a perusal of the same does not even remotely attract the basic ingredients of an offence under Section 306/107 IPC. He submits that totally vague allegations had been levelled in the FIR that the petitioner, who was working in the fields of the deceased, had been blackmailing and pressurizing him to transfer some land in her name and it was on account of the same, the deceased had committed suicide by hanging himself. It is further submitted that even the alleged suicide note left behind by the deceased and which has been annexed as Annexure P-3 was totally evasive and vague.

3. Learned counsel submits that the petitioner, who is a lady, has now

been in custody since 06.03.2022 and there is no likelihood of the trial concluding in the near future as nine prosecution witnesses remain to be examined. He submits that in the circumstances further incarceration of the petitioner would serve no purpose.

4. *Per contra*, learned State counsel while opposing the prayer of the petitioner submits that the petitioner abetted the suicide of the deceased and hence she did not deserve the concession of bail. He further submits that prosecution evidence is under way and the next date fixed before the trial Court is 10.03.2023 when some more prosecution witnesses are likely to be examined.

5. Heard.

6. In the facts and circumstances as enumerated hereinabove, as the trial shall take time to conclude coupled with the fact that the petitioner has now been in custody since 06.03.2022, this Court deems it fit to extend the concession of bail to the petitioner. The petition is allowed and the petitioner is admitted to bail to the satisfaction of Chief Judicial Magistrate / Trial Court / Illaqa Magistrate, concerned.

However, anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

22.02.2023
mamta

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No