

244

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-15222-2024
Date of decision:-26.04.2024

SUKHJIT KAUR

... Petitioner

Versus

STATE OF HARYANA

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Ashok Kumar Khunger, Advocate
for the petitioner.
Ms. Gaganpreet Kaur, DAG, Haryana.

SANJIV BERRY, J. (ORAL)

The instant second petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case:-

FIR No.	Dated	Sections	Police Station
0256	30.07.2023	306, 34, 420 IPC	Kalan Wali, District Sirsa

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that neither the petitioner has any concern whatsoever with the alleged occurrence nor she has ever participated in the alleged marriage of the deceased but she is alleged to have been one of the facilitator in getting the marriage of deceased with Neetu. He contends that the petitioner was not

even named in the FIR but has been falsely implicated in the case and is in custody since 14.08.2023. He submits that the challan has already been presented in Court, as such the petitioner is not required for further investigation and none of the witness has yet been examined by the prosecution. He contends that the petitioner is not involved in any other criminal case and is a lady aged about 42 years, hence prayed for grant of concession of bail to the petitioner.

3. *Per contra*, learned State counsel contends that the petitioner is involved in the abetting of the commission of suicide by deceased as she mediated in arranging the marriage of the deceased with one Neetu who left the matrimonial house after 2 days of the marriage leading to deceased committing suicide. However, he has not disputed the factual matrix of the case and admitted that out of 15 witnesses cited by the prosecution none of them have been examined till date.

4. After considering the rival contentions and perusing the record, it transpires that admittedly the name of the petitioner did not figure in the FIR and as per the case of the prosecution, she has been nominated and arrested on the allegation that she had been one of the mediator in arranging the marriage of the deceased with Neetu who alleged to have left the matrimonial home after 2 days of the marriage. The challan against the petitioner has already been presented in Court after her arrest on 14.08.2023 and it is not disputed that out of 15 witness cited by the prosecution none of them have been examined till date. Co-accused Reetu Rani and Charanjeet Singh have since been granted concession of bail by this Court in CRM-M-

5588-2024 and CRM-M-14515-2024 respectively. The conclusion of trial to ascertain criminal liability, if any of the petitioner will take sufficient long time.

5. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

26.04.2024
Gyan

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |