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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-22930-2024
Date of decision:-23.07.2024

NEETU ALIAS HARJEET KAUR

... Petitioner

Versus

STATE OF HARYANA

... Respondent

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

Present:- Mr. Kartar Singh, Advocate for the petitioner.
Mr. Surender Singh, AAG, 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 submits that petitioner had not demanded any money from the deceased and there is no proof as such. He submits that as per allegations levelled in the FIR, petitioner had married to deceased Nirmal Singh on 23.07.2023 and after two days, she left him to see her mausi who was suffering from serious ailment. He submits that there was no conversation between the petitioner



and deceased Nirmal Singh between 25.07.2023 to 30.07.2023. He submits that deceased had not left any suicide note naming the petitioner. He submits that co-accused Ritu Rani, Charanjit Singh, Sukhjit Kaur and Jaspreet Kaur- @ Ritu @ Seema @ Somi have been granted concession of bail by this Court vide orders dated 13.03.2024, 18.04.2024, 26.04.2024 and 30.04.2024 passed in CRM-M-5588-2024, CRM-M-14515-2024, CRM-M-15222-2024 and CRM-M-5589-2024 (Annexure P-2 to P-5) respectively. He submits that petitioner is in custody since 09.08.2023, after completion of investigation, challan has already been presented in Court, as such the petitioner is not required for further investigation. The prosecution has cited 23 witnesses and out of them only 2 witnesses have been examined so far. He contends that the petitioner is not involved in any other criminal case, 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 married to the deceased and 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 23 witnesses cited by the prosecution only 2 of them have been examined till date.

4. After considering the rival contentions and perusing the record, it transpires that the FIR was registered on the complaint of Harjinder Singh @ Tillu (brother of the deceased) stating that one Charanjit Singh accompanied by two ladies received sum of ₹75,000/- from the Nirmal Singh (deceased) for being mediators in fixing the marriage of Nirmal Singh



(deceased) with the petitioner. After marriage on 23.07.2023, petitioner remained for two days at her matrimonial home and on 25.07.2023 petitioner asked Nirmal Singh to drop her to parental house as her mausi was unwell. Thereafter, when Nirmal Singh @ Nikka (deceased) used to call petitioner, sometimes her phone was switched off and some times she did not pick up the call and due to the aforesaid reasons, Nirmal Singh @ Nikka got upset and consumed poison and committed suicide.

5. Admittedly, the deceased had not left any suicide note, naming the petitioner. The challan against the petitioner has already been presented in Court after her arrest on 09.08.2023 and it is not disputed that out of 23 witnesses cited by the prosecution only 2 of them have been examined till date. Co-accused Ritu Rani, Charanjit Singh, Sukhjit Kaur and Jaspreet Kaur-@ Ritu @ Seema @ Somi have been granted concession of bail by this Court vide orders dated 13.03.2024, 18.04.2024, 26.04.2024 and 30.04.2024 passed in CRM-M-5588-2024, CRM-M-14515-2024, CRM-M-15222-2024 and CRM-M-5589-2024 (Annexure P-2 to P-5) respectively. The conclusion of trial to ascertain criminal liability, if any of the petitioner will take sufficient long time.

6. 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.

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

(SANJIV BERRY)
JUDGE

23.07.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |