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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CRM-M No.37458 of 2024  
Date of Decision: 03.12.2024

Suraj ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Kamal Chaudhary, Advocate,  
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana,  
for the respondent-State.

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MANISHA BATRA, J. (Oral)

1. The present petition has been filed by the petitioner seeking regular bail in the FIR mentioned below:-

| FIR No. | Dated      | Police Station                          | Sections                  |
|---------|------------|-----------------------------------------|---------------------------|
| 414     | 11.10.2022 | Faridabad N.I.T.,<br>District Faridabad | 302, 328 and 34 of<br>IPC |

2. As per the allegations, the aforementioned FIR was registered on the basis of a written complaint lodged by the complainant Jeet Bahadur alleging therein that the victim Raj Kumari who was his sister was married with the petitioner on 21.03.2015. The petitioner used to harass the victim by raising demands to bring buffalo, LED TV, washing machine and electronic goods etc. He used to extend beatings to

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her. The co-accused Jitender who is cousin brother of the petitioner was keeping an evil eye on the victim and complaint in this regard had been made by the victim to the petitioner who rather used to feel offended and physically assault the victim. The victim had also told about this fact to the complainant. He further alleged that on the evening of 06.10.2022 the petitioner had consumed liquor along with the co-accused Jitender and then they along with Balkaran and Rajkumari parents-in-law of the victim had extended beatings to her and forcibly administered some poisonous substance to her. The complainant had incidentally made a telephonic call to his sister just before her death who had disclosed to him that the petitioner along with co-accused Jitender and Balkaran as well as Rajkumari was assaulting her. He alleged that half an hour thereafter, he received a message about death of his sister. It was further alleged by him that the petitioner immediately took the dead body of the victim to his native village. The complainant somehow got the postmortem examination of the same done. While alleging that his sister had been murdered by the petitioner and co-accused, he prayed for taking action. After registration of FIR, investigation proceedings were initiated. Offence under Section 34 of IPC was deleted. The petitioner was arrested on 13.10.2022. Presently, he is facing trial for commission of aforementioned offences.

3. It is argued by learned counsel for the petitioner that he has been falsely implicated in this case. There is unexplained delay of six days in lodging of the FIR. There is no eye-witness to the incident. No evidence has come on record to show that the petitioner had any hand in the death of

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his wife. The cause of death has not been ascertained as per the postmortem report. No injuries were found on the dead body of the victim. There was no complaint in the past regarding alleged demand of articles by the petitioner. The investigation has concluded. Trial is likely to take time. His further detention would not serve any useful purpose. Therefore, it is urged that the petition deserves to be allowed.

4. Status report has already been filed by the respondent-State. It is submitted therein and learned State counsel has argued that there are serious allegations against the petitioner. The viscera report is awaited. The victim had died in her matrimonial house. There are chances of petitioner's intimidating the witnesses or absconding if extended benefit of bail. Therefore, it is urged that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record.

6. The petitioner is alleged to have administered some poisonous substance to the victim after extending beatings to her on the fateful day and is alleged to have caused her death. The complainant has since been examined and is shown to have supported the prosecution version. The allegations against the petitioner are quite grave and serious in nature. The trial has commenced. There is nothing on record to suggest that there would be any undue delay in conclusion of the same. Keeping in view the gravity of the allegations as levelled against the petitioner, the quantum of sentence which the conviction may entail and the attendant facts and circumstances but without meaning to make any comment on the merits of the case, this

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Court is of the opinion that the petitioner does not deserve to be released on bail. Hence, the petition is dismissed.

03.12.2024  
manju

(MANISHA BATRA)  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |