

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-47477-2023

Date of Decision:-20.02.2024

Meera Devi.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Sajal Bansal, Advocate &
Mr. Saransh Sabharwal, Advocate for the Petitioner.

Mr. Deepinder Brar, Sr. Deputy Advocate General, Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.64 dated 17.07.2023 under Sections 306 IPC registered at Police Station Jodhewal, Ludhiana, Punjab.

2. The present FIR came to be registered at the instance of Manoj Kumar which reads as under:-

“ Stated that I am resident of above mentioned address. I am doing work of flat in Hosiery. I have three kids, my elder son Gitesh aged around 31 years was working as steno in District Court. On dated 16.07.2023 time at around 9:30 hrs. My elder son Gitesh was working in upper portion of the house in his Laptop and I was `sitting in lower portion in the room along with my wife Bholi and son Kunal, then time at around 11.05 P.M. I received phone call of friend of my son Gitesh namely Pardeep Sharma Advocate who told that Gitesh is not picking up phone and Pardeep Sharma told me that phone call of Sarabjit Singh Advocate has been received who told that at around 9.50 P.M.

Gitesh has sent one suicide note on Whatsapp, which was checked by Sarabjit Singh time at around 10:55 hrs, that now Gitesh is not picking up phone whereby I went to the room in first floor and checked that my son Gitesh had bolted net door from inside and my son had hanged himself noose with the help of chunni with ceiling fan, then I raised loud clamour then my younger son Kunal came upstairs who torn the flex of window adjoining to the door went inside and opened the door and me and my son Kunal alighted down my son Gitesh and laid him down on the bed and then me and Kunal made arrangement of private vehicle took my son Gitesh to C.M.C. Hospital Ludhiana where the Doctor upon checking my son declared him dead. That marriage of my son Gitesh was solemnized on dated 11th of October 2021 with Meera Devi Daughter of Davinder Kumar Resident of Village Shahpur Police Station Pinjore District Panchkula Haryana, that after the marriage my son had estrangement with Meera Devi, my Daughter-in-law Meera used to go to her parental home at Village Shahpur after quarrelling and being annoyed with my son Gitesh, their settlement was also made on number of occasion at Panchayat level, so my Daughter- in-law used to come back. On dated 17th of December 2021 my Daughter-in-law Meera Devi after quarrelling with my son Gitesh went to her village Shahpur Police Station Pinjore Panchkula Haryana. Wife of my son Gitesh Meera Devi, Father-in-law Davinder Kumar, Mother-in-law Suman Devi, Sister-in-Law Deepika, Brother-in-law Saurav Sharma alias Billa, Neetu Singh alias Babba, wife of Neetu and Lady Officer Anita ASI used to threaten my son Gitesh and my family to implicate in false case and my son Gitesh used to remain quite upset. That my son Gitesh due to being causing harassment and giving threats by his wife Meera Devi and his in-laws family compelled my son Gitesh to die, that my son Gitesh after being upset has committed suicide by hanging himself noose. I am submitting the suicide note written by my son to your goodself. That appropriate legal action may be initiated against my Daughter-in-law Meera Devi, Father- in-law Davinder Kumar, Mother-in-law Suman Devi, Sister-in-Law Deepika, Brother-in-law Saurav Sharma alias Billa, Neetu Singh alias Babba, wife of Neetu and Lady officer Anita ASI. I have recorded my statement to you, heard it is correct. Sd/- Manoj Kumar 99881-66259."

3. The Counsel for the petitioner contends that she has been falsely implicated in the present case. In fact she had been ill-treated by her deceased husband and her family members including the present complainant who is her father-in-law. FIR No.288 dated 25.05.2023 under Sections 323, 354, 406, 498-A, 506 IPC P.S. Pinjore, Haryana had been registered against her husband, mother-in-law and brother-in-law. The petitioner had made multiple complaints before the police authorities about the harassment being meted out to her on account of demand of dowry. Even the Hon'ble Chief Minister, Haryana was apprised about the atrocities suffered by her. The present FIR was a counter blast to aforesaid FIR No.288 dated 25.05.2023. As the petitioner was a first time offender, in custody since 22.07.2023 but none of the 15 prosecution witnesses had been examined so far, the Trial of the present case was not likely to be concluded anytime soon and, therefore, the petitioner was entitled to the concession of bail.

4. The Counsel for the State on the other hand contends that the petitioner and the other accused used to harass the deceased because of which he committed suicide. A suicide note had also been recovered in which the name of the petitioner was mentioned. Merely because FIR No.288 dated 25.05.2023 stood registered at earlier point of time did not mean that the present FIR was a counter blast. The ingredients of the offence stood established. Therefore, the petitioner was not entitled to the grant of bail. He however concedes that the petitioner was a first time offender, in custody since 22.07.2023 and none of the 15 prosecution witnesses had been examined so far.

5. I have heard learned Counsel for the parties.

6. The veracity of the prosecution case against the petitioner and her co-accused shall be adjudicated upon during the course of the Trial. the Admittedly, the petitioner is a first time offender, in custody since 22.07.2023 and none of the 15 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation the further incarceration of the petitioner is not required.
7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Meera Devi** daughter of Sh. Davinder Kumar is ordered to be released on bail subject to his furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.
8. The petition stands disposed of.

(JASJIT SINGH BEDI)

JUDGE

February 20, 2023

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>