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**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

CRM-M-2510-2025 (O&M)

Reserved on : 05.03.2025

Pronounced on : 07.03.2025

Renu**...Petitioner****Versus****State of Haryana****...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Ms. Pooja Jaglan, Advocate
for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

None for the complainant.

MANISHA BATRA, J.

1. Prayer in this petition is for grant of regular bail to the petitioner in FIR No. 101 dated 07.05.2024, registered under Section 302 of IPC (deleted later on) and Section 306 of IPC (added later on) at Police Station City Panipat, District Panipat.

2. As per the prosecution case, on 27.08.2021, on receipt of an information about a person having hanged himself in Dureja Guest House, Panipat, a police party headed by ASI Naresh Kumar rushed towards the spot and found a dead body while lying on a bed. The petitioner/accused was sitting beside the dead body and identified the same to be of Rajesh son of Bhagat Ram. While introducing herself as a relative of the deceased, she disclosed that the victim had committed suicide by hanging himself by using her scarf and that she had made efforts to save him. On the same day, Mahender Singh, brother of the deceased, recorded a statement on the basis of which, a DDR

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was entered. On 17.09.2021 a written complaint was submitted by the wife of the deceased alleging that the present petitioner had murdered the victim, on the basis of which, a General Diary Report (GDR) was entered. On 07.05.2024, the above mentioned FIR under Section 302 of IPC was registered.

3. As per the further allegations, on 12.09.2024, offence under Section 302 of IPC was deleted and offence under Section 306 of IPC was added. The petitioner surrendered on 13.09.2024. On interrogation, she suffered disclosure statement that she was in love with the deceased and used to have conversation with him by making phone calls. His wife had come to know about their relationship. On the fateful day, she had called the victim to meet her. He had booked a room in Dureja Guest House at Panipat. She had been insisting the victim to live with her as her husband and to leave his wife and feeling disturbed, the victim had hanged himself with the ceiling fan of the room of the said guest house. Investigation has since been completed.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case. The ingredients for commission of offence under Section 306 of IPC have not been attracted at all against her. There is nothing on record to show that she had instigated the victim to commit suicide or had made any abetment whatsoever for that purpose. The wife of the victim had lodged complaint against her after three years of the incident and had kept quiet for a long time. She was well aware about the relationship of the petitioner with the victim. It was the victim, who had booked the room in the said guest house and had called her over there. Investigation has since been completed and *challan* has been presented before the Court. The trial is likely

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to take time. The petitioner is in custody since long. No useful purpose would be served by keeping her in custody anymore. Therefore, it has been urged that the petition deserves to be allowed and the petitioner deserves to be released on bail.

5. Status report has been filed by the respondent-State. It is submitted therein and learned Assistant Advocate General, Haryana has argued that the allegations against the petitioner are serious in nature. She was having relationship with the victim and had pressurized him to perform marriage with her while knowing that he was already married and thereby abetted her suicide. There are chances of the petitioner's absconding or intimidating the witnesses, if released on bail. Hence, it has been urged that the petition is liable to be dismissed.

6. I have heard learned counsel for the parties at considerable length and have also perused the material placed on record.

7. The victim had admittedly died a suicidal death. He has not left any suicide note. It was on the clamour raised by the petitioner that the officials of the said guest house had reached in the room, which was got booked by the victim, and had found that he had hanged himself. Offence of abetment of suicide is punishable under section 306 of IPC, whereas abetment is defined under section 107 of IPC, as per which, a person abets the doing of a thing, who first, instigates any person to do that thing or engages with one or more other persons in any conspiracy for the doing of that thing, if an act or illegal omission takes place in pursuance of that conspiracy and in order to the doing of that thing or thirdly, intentionally incites by any act or illegal omission the doing of that thing. For the sake of argument, if it may be taken

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that the present petitioner had pressurized the victim to perform marriage with her by leaving his wife, it cannot be *prima facie* stated and it is debatable that by doing so, she had instigated or had aided the commission of suicide by the victim. Investigation has since been completed and *challan* has been presented. The petitioner is in custody since 13.09.2024. There is no basis to state that if the petitioner is released on bail, she may abscond or intimidate the witnesses. Keeping in view the aforesaid facts and circumstances, I am of the considered opinion that no useful purpose would be served by the further incarceration of the petitioner. Accordingly, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case.

8. It is made clear that any observation made herein above is only for the purpose of deciding the present petition and the same shall have no bearing on the merits of the case.

07.03.2025
Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No