

2025:PHHC:102233



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

234

CRM M-12149-2025

Date of Decision:07.08.2025

Rajni @ Rajni Kumari

...Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Ajay Ghangas, Advocate
for the petitioner.

Mr. Rajiv Sidhu, Sr. DAG, Haryana.

N.S.SHEKHAWAT, J.

1. The petitioner has filed the instant petition under Section 483 of B.N.S.S., 2023 with a prayer to grant a regular bail in case FIR No.0314 dated 21.08.2024 registered under Section 108 of the BNS, 2023 at Police Station Gohana Sadar, District Sonipat.

2. The FIR in the present case has been registered on the basis of the statement made by Rajbala and the same has been reproduced below:-

“To SHO Sahib, Police Station Sadar Gohana, Sir, I request that I Rajbala W/O Balraj is resident of village Givana and my husband has passed away. I had 2 sons. My elder son Amit had a heart attack about two years ago. He has a son Aryan alias Golu whose age is 5

years. After Amit's death, on the decision of the Panchayat, Aryan alias Golu lived with us and Amit's wife Reena went to her maternal home in Moimajri district Sonipat. But my younger son Mohit's wife Rajni was not happy with Aryan's decision to live with us. She was always jealous of Aryan and used to fight with Mohit repeatedly. She did not even allow Aryan to come to her room. She used to pray for Aryan's death in front of us. She did not even allow my son Mohit to talk to his nephew Aryan. In this, Rajni's mother Pushpa W/O Sukhbir supported Rajni in this. They used to take advantage of Mohit's decency and repeatedly threatened him to either leave Aryan or they would implicate him in a false case, due to which my son had become very disturbed. Yesterday on 20/08/2024, Mohit went to school to drop his nephew Aryan on his motorcycle. When Rajni came to know about this, she started quarreling as soon as Mohit came home and kept quarreling with Mohit the whole day and along with her maternal family members kept threatening to implicate him in a false case, under whose pressure my son Mohit consumed poison at home, after which our family members took Mohit to Rohtak for treatment, during treatment in Kaynos Hospital, Rohtak, my son Mohit died. I am an illiterate woman, but my brother Narendra S/O Rampal R/O Siwana Mall District Jind told me that Mohit before his death had written a suicide note in his diary. In this suicide note, Mohit has written the names of Rajni, his mother-in-law Pushpa and brother-in-law Rahul. Rajni, Pushpa and Rahul are responsible for the death of my son. I request you to take strict legal action against all the above culprits. I have got this complaint

written by my relative Anil S/O Ramkishan R/O Dubaldhan (Jhajjar) and have presented it to you with my thumb impression. RTI Rajbala Mobile No. -8397861091 Date-21/08/2024 Attested -VIKAS ASI PS Sadar Gohana DT 21/8/24.”.

3. Learned counsel for the petitioner contends that the complainant has got the FIR registered against the Pushpa her mother and Rahul, her brother and it is apparent that the entire family has been falsely involved without any justification. Learned counsel further contends that during the course of investigation, Pushpa and Rahul were found innocent and this clearly proves that the major part of the allegations levelled by the complainant has been found to be false in the present case. He further contends that even from the allegations levelled by the complainant in the present case, no offence under Section 108 of BNS is made out against the petitioner as the petitioner had neither inspected nor abetted the suicide of Mohit in any manner. The petitioner was arrested on 16th September 2024 and is in custody for the last about 10 months. The *challan* has been presented against the petitioner, however, no witness has been examined so far.

4. On the other hand, learned State counsel has vehemently opposed the prayer made by the learned counsel for the petitioner on the ground that there are serious allegations against the petitioner and the petitioner is not entitled for the concession of regular bail.

5. I have heard learned counsel for the parties and perused the record.

6. Keeping in view the facts of the present case, it would be debatable as to whether the offence under Section 108 of BNS is made out against the petitioner or not and the prosecution is yet to lead evidence to prove the charge against the present petitioner. The petitioner, who is a lady, is in custody for the last more than 10 months and no witness has been examined so far. Thus, there are no chances of early conclusion of the trial.

7. In view of the above, without commenting any further on the merits, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned.

07.08.2025

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No