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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1. CRM-M-71781-2025

BajrangPetitioner

versus

State of Haryana Respondent

2. CRM-M-6632-2026
Darshna DeviPetitioner

versus

State of HaryanaRespondent

Date of decision: 17.03.2026

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Vikas Bhadrecha, Advocate
for the petitioner(s).

Ms. Diya Sodhi, Senior DAG, Haryana.

RAJESH BHARDWAJ, J. (Oral)

1. By way of this common order, this Court intend to dispose of abovesaid two petitions as they have arisen out of the same FIR.

2. Petitioners have approached this Court by way of filing the present petitions praying for grant of regular bail to them in case FIR No.22 dated 02.02.2024, under Sections 306, 34 of IPC (Section 34 of IPC is not mentioned in impugned order inadvertently), registered at Police Station Siwani, District Bhiwani.

3. Succinctly, facts of the present case are that the FIR in the present case has been lodged on the statement of complainant, namely, Pramod Kumar. It was alleged that on 18.01.2024, name of his younger brother Salender has been mentioned in the gang rape case lodged by Rajbala and her maternal uncle, namely, Ramesh in Siwani Police Station.



It was further alleged that due to the fear of this false case, complainant's brother committed suicide by consuming some poisonous medicines. Thus, request was made to take legal action against accused Rajbala, her mother Darshana (petitioner in CRM-M-6632-2026), her father Sitaram, her grandfather Manphool, her maternal grandfather Ramesh and her uncle Bajrang (petitioner in CRM-M-71781-2025) for naming brother of the complainant in a false case. Thus, the FIR was registered. On registration of FIR, investigation commenced. Petitioners were arrested on 13.07.2025. On completion of investigation, challan was presented and on framing of charges, the trial commenced. Petitioners approached the learned Additional Sessions Judge, Bhiwani, for grant of bail, however, after hearing both the sides, the said relief was declined to them vide orders dated 22.09.2025 and 23.01.2026. Being aggrieved, petitioners are before this Court by way of filing the present petition for grant of concession of regular bail.

4. It has been contended by learned counsel for the petitioners that petitioners have been falsely and frivolously implicated in the present cases on the basis of alleged suicide note left by Salender (deceased). He has contended that from the allegations made in the alleged suicide note, petitioner-Bajrang was not even named. He has submitted that even otherwise, from the bare reading of the allegations made in the suicide note, no offence under Section 306 IPC read with Section 107 IPC constituted the instigation to commit suicide is made out. He has relied upon the judgments titled as **Abhinav Mohan Delkar Vs. State of Maharashtra and others, Ude Singh and others Vs. State of Haryana, Jai Bhagwan Vs. State of Haryana (CRM-M-57905-2025)**. To buttress



his arguments, he has contended that the petitioners are behind the bars from more than 08 months and have no criminal antecedents. He has submitted that as the material witnesses have already been examined, the petitioners deserve to be granted regular bail.

5. Learned State counsel, on the other hand, has opposed the submissions made by learned counsel for the petitioners. She has submitted that the suicide note was sent to the FSL for comparison of the hand-writing and it has been established from the report that the suicide note recovered was written by the deceased himself. She has submitted that the petitioners have been specifically alleged to have instigated the deceased to commit suicide. She, on instructions, has submitted that out of 23 prosecution witnesses, 17 witnesses stand examined. She has placed on record custody certificate of the petitioners.

6. After hearing counsel for the parties and perusing the record, it is deciphered that the petitioners have been prosecuted in the present case on the basis of alleged suicide note. Whether the offence under Section 306 IPC read with Section 107 IPC is made out or not would lie within the domain of the trial Court on appreciation of the evidences led in the light of the law settled. This Court while dealing with the bail petition would refrain itself from commenting anything on the merits of the case. Custody certificates filed by the State show that the petitioners have undergone incarceration of about 08 months as on 16.03.2026 and they have no criminal antecedents as they have never been involved in any other case. As submitted, out of 23 prosecution witnesses, 17 witnesses have been examined so far.

7. The trial of the cases will take sufficiently long time. However, keeping in view the overall facts and circumstances of the present cases, this Court is of the opinion that learned counsel for the petitioners succeed in making out a case for grant of regular bail. Accordingly, the present petitions are allowed and the petitioners are ordered to be released on bail on their furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

17.03.2026
m.sharma

(RAJESH BHARDWAJ)
JUDGE

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