



CRM-M-58382-2024(O&M)

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THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-58382-2024(O&M)
Decided on: 15.09.2025

Bholi

. . . Petitioner(s)

Versus

State of Haryana and another

. . . Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

PRESENT: Mr. Gourav Jain, Advocate for the petitioner.

Mr. Anmol Malik, DAG, Haryana.

KIRTI SINGH, J. (Oral)

1. The jurisdiction of this Court has been invoked under Section 483 of BNSS for grant of regular bail to the petitioner in case FIR No.181 dated 11.07.2023, under Section 304-B/34 IPC, registered at Police Station Sadar Ratia, District Fatehabad.

2. The contents of the aforesaid FIR are reproduced herein below:-

“Statement of Sandeep Singh son of Rala Singh r/o Ward No. 05, Gururnank Basti, Bhikhi District Mansa Punjab, aged 34 years Mobile No.987664xxxx stated that I am the resident of above said address and work as a labourer. We are two brother and one sister. I am elder in all and thereafter my sister Rekha Rani and younger to all is my brother Gurmeet Singh. Me and my sister are a married and Gurmeet is unmarried. Marriage of my sister Rekha Rani was solemnised about 3 years back with Power Kumar son of Bant Ram resident of village Alikan. Pawan Kumar used to work of selling construction material (sand and stone) in village. Family of my brother-in-law Pawan Kumar live in village in one house. From the above said marriage my Sister Rekha



Rani is having one daughter namely Urshita aged 2 years and one son Aarush, who died in the age of 3 months due to disease. Today on dated 11/07/2023 at about 7:52 AM upon WhatsApp number 6284000518 Of my brother a photo of handwritten page came from my sister Rekha rani mobile number 9041338601, after reading the same my brother sent that message to me, upon which I informed by brother-in-law Pawan Kumar, then we came to know later that my sister has committed suicide. Thereafter after coming there, as per the information given by my sister, we got recovered the suicide note as well as mobile phone of Brand MI black colour from the lower portion of the Almirah, which was written in Punjabi, whose translation in Hindi is as under-" I Rekha wife of Pawan Kumar Alikan it is going to commit suicide being fed up due to beating of my in-laws family and my in-laws family is responsible for my death. My medical be got conducted I was being humiliated and had asked physically by whole family and today I was also given beatings. I could not bear it. My husband Pawan Kumar, mother-in-law Bholi, father-in-law Bant Ram, brother-in-law (devar) Deepu and sister-in-law (Nanad) Anita Rani. All has given beating to me. My daughter of one and half year age has been snatched from me. I could not bear the happenings with me today, therefore I am committing suicide. I had been given much beating. I was being harassed by levelling false allegations. I was being tried to be killed for the last 3 days and therefore I was also stopped from making telephone calls to my family members. My mother-in-law Bholi it is not much fault as due to her, I was being given the beatings. She (mother-in-law) used to force me to develop illicit relations with the other persons. My son has died due to fault of my in-laws. The allegation of causing death of my son was being levelled on me. I was humiliated after removing my cloths by confining me in a room. I requested that my medical be got conducted. False allegation of illicit relations with my brother's were also being levelled against me. My husband gave me beatings on the saying of my mother-in-law. I had been asked to bring & 5 lakhs from my parental house. My mother-in-law has given



me such treatment on account of not bringing the vehicle and the motorcycle in the dowry. My daughter has been snatched from me. I was not allowed to meet her. After my death my daughter be given to my parental family members. My in-laws used to do the wrongful acts with me. My daughter along with my belongings be sent to Bhikhi. My husband stole hold daughter of my brother along with mobile phone. The suicide note has been kept the lower portion of the almira. Sd/- Rekha Rani" in the above said statement my sister has put her signature in English. That I have produced mobile phone MI brand of my sister as well as suicide note to you. My sister was being tortured and was given beatings on account of bringing less dowry by her in-laws i.e. her husband Pawn Kumar, mother-in-law Bholi, father-in-law Bant Ram, Devar Deepu and Nanad Anita Rani. Strict to strict legal action be taken against the above said accused. I have got recorded my statement in front of my cousin brother Jagtar Singh. I have read it, same is correct. Signed/- Sandeep Singh" "

3. Learned counsel for the petitioner submits that the petitioner being the mother in law of the deceased has been falsely implicated in the instant case. In more than three years of her marriage, no complaint had been made by the deceased against her in-laws including the petitioner. In fact, other than the petitioner, the father-in-law, brother-in-law and sister-in-law of the deceased were also named as accused, but were declared innocent by the investigating agency. It is submitted that prior to the unfortunate incident, the deceased had lost her minor child to a serious illness on 25.06.2023, which pushed her into depression, leading her to take the extreme step. Furthermore, as per the post mortem report dated 12.07.2023, no marks of beatings were found on the person of the deceased. The petitioner, who also lost her son (brother-in-law of the deceased) due to



suicide on 03.11.2023, has already undergone a prolonged custody period of 02 years and 05 days. There is no other case registered against the present petitioner who is 54 year old.

4. *Per contra* learned State counsel has opposed the petition for bail and submits that the petitioner was actively involved in the commission of the alleged offence and has been specifically named as an accused. He has filed custody certificate in Court today and the same is taken on record. As per custody certificate, the petitioner has undergone actual custody of 02 years and 05 days. He on instructions from investigating officer submits that charges were framed on 07.06.2024 and out of a total of 23 prosecution witnesses, 06 have been examined till date. He, however, submits that in view of the serious allegations against the petitioner, she is not entitled to the concession of regular bail.

5. Heard the rival submissions made by learned counsel for the parties.

6. From a perusal of the case in hand, it transpires that the petitioner is behind the bars since 09.09.2023, meaning thereby that she has undergone a custody of 02 years and 05 days. Investigation is complete. The final report under Section 173 Cr.P.C. was presented before the concerned Court and trial of the case has not made much progress, as charges were framed on 07.06.2024 and out of a total of 23 prosecution witnesses, only 6 material witnesses have been examined. The culpability of the petitioner, if any, would be determined at the time of trial. No useful purpose shall be served by further detention of the accused/petitioner. Keeping the petitioner in further detention without the prospect of the trial being concluded in the near future, would be violative of his rights under Article 21 of the Constitution of India including the right to speedy trial, and is against the



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principle “Bail is a rule, jail is an exception” as elucidated in the judgment of Apex Court in “*Dataram Singh vs. State of Uttar Pradesh and another*”, (2018) 3 SCC 22.

7. Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

(I) The petitioner will not tamper with the evidence during the trial.

(II) The petitioner will not pressurize/intimidate the prosecution witness(s).

(III) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.

(IV) The petitioner shall not commit an offence similar to the offence of which she is accused of, or for commission of which he is suspected.

(V) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer or tamper with the evidence.

8. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.

9. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

10. Pending miscellaneous application(s), if any, also stands disposed of.

(KIRTI SINGH)
JUDGE

15.09.2025

Kapil

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No