

**Dev Raj and Another Vs. State of Haryana**

**Dev Raj and Another Vs. State of Haryana**

**SooperKanoon Citation :** [sooperkanoon.com/1066757](http://sooperkanoon.com/1066757)

**Court :** Punjab and Haryana

**Decided On :** Mar-22-2013

**Appellant :** Dev Raj and Another

**Respondent :** State of Haryana

**Judgement :**

Crl.M.not M- 5135 of 2013 -1- IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH Crl.M.not M- 5135 of 2013 (O&M) Date of decision :

22. 3.2013 ..Dev Raj and another .....Petitioners versus State of Haryana  
.....Respondent Coram: Hon'ble Mr.Justice K.C.Puri Present: Sh.

P.S.Sullar, Advocate for the petitioners.Sh.

Amandeep Singh, Assistant Advocate General, Haryana..K.C.Puri, J.

Petitioners - Dev Raj and Swarna have applied for grant of regular bail in FIR No.64 dated 21.5.2012 under Section 306 IPC, registered at police Station Shahzadpur, District Ambala.

The law was set in motion by recording the statement of Pankaj Kumar brother of the deceased, who has stated that Rakesh Kumar, his brother was married to Rama Devi about 5 years back.

Both of the brothers were working together in the same shop but were residing separately in a rented house and his mother is living with the Crl.M.not M- 5135 of 2013 -2- younger brother in the ancestral house.

For the last about one month there was a dispute between the deceased and his wife Rama and family members of Rama, including petitioners. her brother Rinku and brother-in-law Dinesh, visited their house and gave beatings to his brother and mother.

Many a times panchayats were convened but their behaviour had not improved.

On 21.5.2012 there was dispute between the deceased and his wife Rama and Rama called her family members by making a phone call at about 2.00 P.M. Rama's father Dev Raj and mother Swarna Devi present petitioners. and other relatives alongwith brother-in-law of Rama insulted Rakesh and thereafter time of 8 days was fixed between both the parties for reconciliation.

At about 6.00 P.M. the deceased committed suicide by consuming poisonous substance.

Learned counsel for the petitioners has submitted that on 7.5.2012 Rama was beaten by the complainant, as well as, mother-in-law Usha and her husband.

Injuries were given and MLR has been placed on the file.

However, the matter was compromised on 8.5.2012 vide Annexure P-5.

It is further submitted that petitioners have been falsely implicated and they are in custody since 4.8.2012 and the trial is not likely to be concluded at an early date.

Learned State counsel has opposed the bail application.

Rama the main accused i.e. wife of the deceased is in custody.

The allegation against the petitioners is that they used to maltreat the deceased and on that account deceased Rakesh Kumar has committed suicide.

Admittedly, there was matrimonial dispute Crl.M.not M- 5135 of 2013 -3- between Rakesh Kumar and Rama.

Petitioners being the parents of Rama had to intervene.

The question whether their act has culminated into the ingredients of offence under Section 306 IPC, is to be determined during the course of trial.

The petitioners are in custody since 4.8.2012.

So, without commenting on the merits of the case, bail is granted to both the petitioners Dev Raj and Swarna to the satisfaction of the trial Court.

( K.C.Puri ) 22.3.2013 Judge chugh

**SooperKanoon - India's Premier Online Legal Search - [sooperkanoon.com](http://sooperkanoon.com)**