courtkutchehry.com

Company : CourtKutchehry
Website : www.courtkutchehry.com
Printed For :
Date : 03/09/2026

(2012) 03 SHI CK 0426

In the High Court Of Himachal Pradesh

Case No : Criminal M.P (M) No. 131 of 2012

Jaswinder Rai — APPELLANT

Vs

State of H.P. — RESPONDENT

Date of Decision : 09-03-2012

Acts Referred:
Criminal Procedure Code, 1973 (CrPC) — Section 154, 439
Penal Code, 1860 (IPC) — Section 306, 34

Citation : (2012) 03 SHI CK 0426

Hon'ble Judges : Kuldip Singh, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Kuldip Singh, Judge

1. This is an application, u/s 439 Cr.P.C., for releasing the petitioner on bail in FIR No. 127 of 2011 dated 2.6.2011, registered at Police Station, Haroli, Distt. Una, under sections 306, 34 IPC. It has been stated that petitioner was arrested on 2.6.2011 on the complainant lodged by Smt. Ritta Devi pursuant to suicide committed by her husband Sukhdev Rai. It has been alleged that petitioner has been falsely implicated in the case on the basis of suicide note. The veracity of the suicide note has not yet been proved. The alleged suicide note is highly suspicious. On 2.6.2011 Ms. Ritta Devi herself had executed an affidavit that she did not suspect anybody. The investigation in the case is complete, the petitioner is ready to furnish bail bonds in accordance with the directions of this court. It has been stated that wife of the petitioner is facing difficulty in running household affairs. The learned counsel for the petitioner has relied Sanjay Chandra Vs. CBI, for releasing the petitioner on bail. The prayer has been made for releasing the petitioner on bail.

2. The status report has been filed. It has been stated that case has been registered on the statement u/s 154 Cr.P.C. of Ritta Devi. The learned Additional Advocate General has stated that there are four accused and out of them

Downloaded from CourtKutchehry — https://dev.courtkutchehry.com/judgments/jaswinder-rai-appellant-hash-state-o...

petitioner and Dhanna Singh are in custody, whereas Susheel Kumari and Kamlesh Kumari have been released. On instructions received, it has been stated that trial is pending in the court of learned Addl. Sessions Judge, FTC, Una. The prosecution is to examine 17 witnesses and till now 15 witnesses have been examined. The next date is fixed ion 13.3.2012. It has been stated that in these circumstances, the trial itself is going to be over very shortly. In Cr. MP (M) No. 851 of 2011, the petitioner was also one of the petitioner and that bail application was rejected by this court on 2.11.2011. In the trial 15 PWs have already been examined, but copies of their statements have not been placed on record. In these circumstances, it is not possible to observe regarding the evidence which has come on record. In any case, the trial is likely to be over very shortly. Therefore, in these circumstances, the petitioner is not entitled to indulgence of bail at this stage. Accordingly, the petition is dismissed. However, the trial court is directed to expedite the trial. A copy of this order be sent to the trial court for compliance.

Downloaded from CourtKutchehry — https://dev.courtkutchehry.com/judgments/jaswinder-rai-appellant-hash-state-o…