



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Miscellaneous Bail Application No. 11442/2024

Ramniwas S/o Chandra Ram, Aged About 44 Years, R/o Geeli, Ps
Sujangarh Sadar Teh. Sujangarh, Dist. Churu (Lodged In Sub Jail
Sujangarh Dist. Churu)

-----Petitioner

Versus

State Of Rajasthan, Through Pp

-----Respondent

For Petitioner(s) : Mr. Pankaj Kumar Gupta
For Respondent(s) : Mr. Urja Ram Kalbi, PP
Mr. Ramavatar Singh for complainant

HON'BLE MR. JUSTICE KULDEEP MATHUR

Order

03/03/2025

This application for bail under Section 483 BNSS (439 Cr.P.C.) has been filed by the petitioner who has been arrested in connection with F.I.R. No.86/2024 registered at Police Station Sujangarh Sadar, Dist. Churu, for the offences under Sections 498-A, 306 and 143 of IPC.

As per the prosecution, the deceased- Suman on 04.06.2024, committed suicide by hanging herself.

Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in the present case. Drawing attention of the Court towards the statements of Bhawna (PW-01), Pratigya (PW-02), learned counsel for the petitioner submitted that though there is possibility of petitioner misbehaving and maltreating the deceased but there is no direct evidence available



on record suggesting that the petitioner had *mens rea* or intention to aid or instigate the deceased to commit suicide.

Lastly, learned counsel submitted that the petitioner is in judicial custody and the trial of the case will take sufficiently long time, therefore, the benefit of bail may be granted to the accused-petitioner.

Per contra, learned Public Prosecutor and learned counsel for the complainant have vehemently opposed the bail application. Learned Public Prosecutor submitted that sufficient material is available on record to indicate that the deceased due to the behaviour of the petitioner towards her, felt harassed/ humiliated so much so that she felt that her self-esteem/self-respect has been tarnished. Learned Public Prosecutor submitted that looking to the seriousness of the allegations levelled against the present petitioner, he does not deserve to be enlarged on bail.

Heard learned counsel for the parties at Bar. Perused the material available on record.

Having considered the rival submissions, facts and circumstances of the case, this Court finds that it is a settled law that abettment involves a mental process of instigating a person or intentionally aiding a person in doing a certain act. Without a positive act on the part of the accused to instigate or aid in committing suicide, the charge of abettment to commit suicide cannot sustained. In the present case, this Court *prima facie* finds that though as per the prosecution, the petitioner used to beat the deceased and also misbehaved with her however, there is no direct evidence available on record indicating that the petitioner



by any of his acts and action instigated or aided the deceased to commit suicide. This Court also *prima facie* finds that the prosecution has not shown any apprehension of the petitioner influencing the remaining prosecution witnesses or fleeing away from justice, in case he is enlarged on bail. Thus, without expressing any opinion on merits/demerits of the case, this Court is inclined to enlarge the petitioner on bail.

Consequently, the bail application under Section 483 BNSS (439 Cr.P.C.) is allowed. It is ordered that the accused-petitioner **Ramniwas S/o Chandra Ram** arrested in connection with F.I.R. No.86/2024 registered at Police Station Sujangarh Sadar, Dist. Churu, shall be released on bail, if not wanted in any other case, provided he furnishes a personal bond of Rs.50,000/- and two sureties of Rs.25,000/- each, to the satisfaction of learned trial court, for his appearance before that court on each & every date of hearing and whenever called upon to do so till completion of the trial.

It is however, made clear that findings recorded/observations made above are for limited purposes of adjudication of bail application. The trial court shall not get prejudiced by the same.

(KULDEEP MATHUR),J

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