

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 10345 of 2015

Date of decision : August 21, 2015

Dharam Bala @ Dharmo,

..... Petitioner

v.

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. SK Garg Narwana, Sr. Advocate with
Mr. Teevar Sharma, Advocate
for the petitioner.

Ms. Tanushree Gupta, DAG Haryana

Mr. SK Verma, Advocate
for the complainant.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
- 2. To be referred to the Reporters or not ?**
- 3. Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioner, who is the mother-in-law of the deceased, seeks grant of regular bail in case FIR No.62, dated 3.12.2014, registered under Sections 498A, 304-B/34 of the IPC, at Police Station Rohtak City, District Rohtak.

The young daughter-in-law died due to indigestion of aluminum phosphate poison.

Learned counsel for the petitioner has argued that even keeping in mind the presumption under Section 304-B of the IPC, the fact of the

matter is that the petitioner has been in custody for 1½ year and that during this custody period she had to be removed to the hospital on 2 or 3 occasions.

Counsel for the complainant has argued that the offence is actually one under Section 302 of the IPC read with Section 304-B of the IPC and it is wrong for counsel for the petitioner to argue that this is a case only under Section 304-B of the IPC.

Be that as it may, the issue whether it is a case under Section 304-B or 302 of the IPC would be thrashed at the time of trial. Keeping in view the medical condition of the petitioner and the period of incarceration already undergone by her, I do not deem it appropriate to deny the concession of bail to her.

Bail to the satisfaction of the trial Court. This petition stands disposed of.

August 21, 2015
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(AJAY TEWARI)
JUDGE