

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-33475 of 2015

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Date of decision:5.10.2015

Kamla

...Petitioner

v.

State of Haryana

...Respondent

.....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Harkesh Manuja, Advocate for the petitioner.

Mr. Himmat Singh, Assistant Advocate General, Haryana for
the respondent-State.

Mr. Durga Dutt Sharma, Advocate for the complainant.

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Inderjit Singh, J.

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.301 dated 31.5.2015 registered for the offences under Sections 328, 498-A and 306 read with Section 34 IPC at Police Station City, Rohtak.

Notice of motion.

On the asking of the Court, Mr. Himmat Singh, learned Assistant Advocate General, Haryana has put in appearance on behalf of the respondent-State and accepted notice. Mr. Durga Dut Sharma, learned Advocate has appeared on behalf of the complainant. They contested this petition.

I have heard learned counsel for the parties and have gone through the record.

From the record, I find that the petitioner is mother-in-law of deceased Anju, who was married about 11 years ago with Ajay Narwal.

Learned counsel for the petitioner argued that general allegations are levelled and there is no specification allegation against the present petitioner.

After going through the record and after hearing the learned State counsel, I find that it is to be seen that the petitioner is in judicial custody since 16.6.2015. She is not required for interrogation or investigation purposes as she is in judicial custody. Nothing is to be recovered from her. On the basis of evidence, it is yet to be determined by the Court whether any abetment to suicide has been given by the present petitioner. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing personal bond in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

October 5, 2015.

(Inderjit Singh)
Judge

hsp