

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29238-2016

Date of Decision:- 14.09.2016

Monika Malhotra

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Anmol Rattan Sidhu, Senior Advocate
with Mr. Raghav Gulati, Advocate, for the petitioner.**

Mr. Arshdeep S. Kler, DAG, Punjab.

**Mr. N.S. Minhas, Advocate
for the complainant.**

RITU BAHRI, J. (Oral)

Present petition is for release of petitioner on regular bail in FIR No.119 dated 17.06.2016, under Section 304-B read with Section 34 IPC, registered at Police Station City Kharar, District SAS Nagar (Mohali).

As per the allegations in the FIR, the marriage of the deceased was solemnized with brother of the petitioner, namely, Navdeep Malhotra on 29.11.2014. A girl child was born on 15.03.2016 from the said wedlock. He used to give beatings to the deceased and also demanded ₹20 lacs from her father as he has to perform marriage of his sister, which was fixed for 13.07.2016. On 17.06.2016, at about 1.30 PM, Babita Rani, sister of the complainant, had informed her mother on phone that her in-laws family

maltreated and harassed her on account of demand of money. At about 5.00 PM, complainant was informed on telephone by Navdeep Malhorta that Babita Rani had hanged herself in the bed-room on the first floor. When the complainant reached the spot, he found that his sister was lying on the bed.

The petitioner has approached the Court of Sessions Judge, Mohali for grant of regular bail but the same has been declined to her, vide order dated 11.07.2016 on account of the fact that the death of Babita Rani has taken place within a period of seven years of her marriage with Navdeep Malhorta and it was an unnatural death.

Learned counsel for the petitioner submits that the petitioner is unmarried sister-in-law of the deceased. There is no body to look after the five months old girl child of the deceased, who is presently residing with neighbours. All the allegations for seeking demand of dowry are against Navdeep Malhotra (husband of the deceased).

Learned State counsel, on instructions from investigating officer, has informed that after presentation of the challan, the charge has been reframed on added Section 302 IPC also and now the trial is fixed for 23.09.2016 for recording of prosecution witnesses.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

In the present case, the petitioner was arrested on 17.06.2016. Since then, she is in judicial custody and no useful purpose would be served to further detain her in jail. The final conclusion of trial will take a long time.

In view of above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing

adequate bail bonds and surety bonds to the satisfaction of learned trial Judge/Duty Magistrate, Mohali.

Needless to mention that, nothing observed here-in-above, would reflect, on merits in the trial of the main case, in any manner.

September 14, 2016
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No