

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No. M-37717 of 2016
Date of decision :- 16.12.2016

Urmila Malhotra

....Petitioner

versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

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

Ms. Manpreet Dhaliwal, AAG, Punjab.

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 S.A.S. Nagar (Mohali).

As per the allegations in the FIR, the marriage of the deceased was solemnized with son 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 Rs. 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 Malhotra 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 Malhotra and it was an unnatural death.

After registration of the FIR the challan was presented before the trial Court. Learned State counsel submits that out of 19 witnesses 13 have been examined.

In the present case, the petitioner was arrested on 18.06.2016. 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.

A perusal of the FIR shows that allegations are against Monika Malhotra who is sister-in-law and against the present petitioner Urmila Malhotra are same. Keeping in view there are 13 witnesses have been examined.

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.

16.12.2016

Poonam (II)

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No