

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M No. 40525 of 2016
Date of decision: 17.11.2016**

Sheela

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Akashdeep Singh, Advocate
for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

Petitioner Sheela has filed the present petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No. 415 dated 28.04.2016 under Sections 304-B, 302, 498-A and 34 of the IPC, registered at Police Station Civil Lines, Rohtak, District Rohtak.

Counsel for the petitioner contends that the petitioner is the mother-in-law of the deceased and has been falsely implicated in the case and in fact the deceased was suffering from depression and being treated for it from PGIMS, Rohtak. Other than that, it is also contended that the deceased had given birth to a baby girl in October, 2014 who is with the petitioner in jail and there is no one else to look after the girl child and even the parents of the deceased have not sought for her custody. Counsel for the petitioner further contends that the petitioner has been in custody since 15.06.2016. The complainant has already been examined and the trial is likely to take some time since 23 witnesses have to be examined.

Notice of motion.

Mr. Sanjay K. Saini, AAG, Haryana, has appeared on behalf of respondent-State and contested the bail application. He submits that there is specific allegations against the petitioner in the FIR and there is no adequate ground made out for releasing her on regular bail.

I have heard learned counsel for the parties and while taking note of the fact that the complainant has been examined and that the petitioner being the mother-in-law of the deceased is looking after the girl child in jail, it would be appropriate to allow her regular bail.

In view of the fact that statement of the complainant and has been recorded and the petitioner is in custody since 15.06.2016 and further that the trial is likely to take some time, no useful purpose would be served by keeping the petitioner in custody furthermore.

Therefore, keeping in view the facts and circumstances of the present case and without expressing any opinion on the merits of the case, the present petition is accepted and the petitioner is ordered to be released on regular bail on her furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/learned trial Court concerned.

Petition stands disposed of.

November 17, 2016

Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No