

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-42847 of 2015

Date of decision : 14.03.2016

Jyoti

..... Petitioner

versus

State of Haryana

... Respondent

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

**Present: Mr. N.S. Shekhawat, Advocate
for the petitioner**

Ms. Mahima Yashpal, AAG Haryana

**Mr. Rajesh Lamba, Advocate
for the complainant**

ANITA CHAUDHRY, J. (ORAL)

The petitioner is seeking regular bail in FIR No. 187 dated 23.09.2015 registered at Police Station Hassanpur, District Palwal under Sections 498-A, 302, 34 IPC (later on Section 304-B IPC added).

Learned counsel for the petitioner contends that Section 304-B IPC has been added later on which was not mentioned in the title of the petition.

Registry is directed to do the correction in the title.

Learned counsel for the petitioner contends that the petitioner was allowed interim bail and she had surrendered in January, 2015. He further states that the petitioner was not named in the FIR and according to the prosecution the husband of the deceased had made a disclosure statement where he had mentioned that the petitioner had caught hold of the hand of the deceased while the husband strangulated her. He further states that at best, the statement of the prosecution could have been the statement of Amar Singh complainant but not a word had been stated by him and now an application under Section 319 Cr.P.C. has been moved and the prosecution wants to summon the father-in-law and Nanad and the petitioner is the wife of the cousin of the husband. He also states that the petitioner has three children, the eldest was 4 years old and the youngest three months old child was with her in the jail.

The petitioner was not named by the complainant or any of the private

Witnesses A disclosure was given by the husband of the deceased.

Learned counsel for the complainant had stated that the Investigating Officer will speak about the role of the petitioner.

The complainant has not suspected any relationship between the husband of the deceased and the petitioner.

Without commenting anything on the merits of the case and considering the fact that the trial will take time to conclude, the petition is allowed and the petitioner is ordered to be released on bail on her furnishing adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

March 14, 2016

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**(ANITA CHAUDHRY)
JUDGE**