

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-11885 of 2017 (O&M)
Date of Decision: 25.04.2017

Sunita

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vijay Singh, Advocate for
Mr. Vishal Nehra, Advocate for the petitioner.

Mr. C.S. Bakshi, Addl. A.G., Haryana.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.252 dated 12.7.2016 under sections 302, 201, 34 I.P.C, registered at Police Station, Sadar Sonipat, District Sonipat.

Learned counsel for the parties have been heard.

Briefly noticed, FIR came to be registered on the statement of Daya Chand, Watchman of the village and who alleged that on 8.7.2016 a resident of the village namely Manoj @ Motu along with his family members has eliminated his own daughter namely Lalita and has cremated the body without informing any person. Motive attributed is that Lalita (deceased) was having an affair with a boy of the village.

Present petitioner is the mother of Lalita (deceased).

The instant petition came up for hearing on 24.4.2017 and at that stage counsel confined the scope of the instant petition only for grant of interim bail for a period of three weeks on the ground that son of the petitioner namely Vijay has expired in the morning hours of 24.4.2017 itself in a vehicular accident.

Accordingly, hearing in the instant petition was deferred to today i.e. 25.4.2017 and learned State counsel was requested to verify the factual position.

During the course of resumed hearing today, Mr. C.S. Bakshi, learned Addl. A.G., Haryana upon instructions from ASI Naresh Kumar has apprised the Court that Vijay son of the present petitioner met with an accident on 24.4.2017 and has expired. He further apprises the Court that cremation of Vijay was conducted in the evening hours of 24.4.2017 itself.

Learned State counsel has very fairly informed the Court that during the course of trial prosecution witness i.e. PW-1 Anita wife of Ishwar, PW-2 Daya Chand son of Risal Singh and PW-3 Anand son of Balbir have not supported the prosecution version.

Be that as it may, in the light of the fact that the petitioner has lost her son on 24.4.2017, the prayer made by counsel for grant of interim bail is accepted.

The instant petition is disposed of in terms of granting interim bail to the petitioner for a period of two weeks. Petitioner be enlarged on interim bail for two weeks subject to satisfaction of Trial court/Duty Magistrate, Sonipat.

Petition disposed of.

A copy of this order be furnished to learned counsel for the petitioner under the signatures of Bench Secretary.

(TEJINDER SINGH DHINDSA)
JUDGE

25.04.2017

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Whether speaking/reasoned: Yes
Whether Reportable: No