

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

**CRM No.M-14917 of 2017
Decided on: 22.05.2017**

Anita

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. Jai Bhagwan, Advocate for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.200 dated 24.03.2017, for offence punishable under Sections 120-B, 452 and 376-D of the Indian Penal Code, 1860 (in short 'IPC') registered in Police Station Samalkha, District Panipat.

Counsel for the petitioner has submitted that the present FIR has been lodged by daughter-in-law of the petitioner levelling allegations that on 19.03.2017 at about 10:00, Bhola and another person with the consent of her mother-in-law came to her room and both of them committed bad act. It is further submitted that the complainant is residing with her husband and her family in the same house. Marriage of the complainant with son of the petitioner was performed 07 years before the alleged occurrence and she has never levelled any allegation against her mother-in-law. It is further submitted that if a daughter-in-law is residing happily with her husband, it is difficult for the mother-in-law to be a privy to any such offence to be committed by a third

person. The last submission made by counsel is that the petitioner has already been remanded in judicial custody, therefore, no longer required for the purpose of investigation. Presentation of challan and thereafter conclusion of trial is likely to take its own time.

Counsel for the State has opposed the prayer for bail with the submission that statement of husband of the prosecutrix has been recorded and he has also supported cause of the prosecution.

I have heard counsel for the parties, perused the paperbook and the police records.

The petitioner is the mother-in-law of the complainant. The FIR does not make reference if the offence was committed at 10:00 AM or 10:00 PM. The petitioner is no longer required for the purpose of investigation. Law with regard to grant of bail to a woman is more liberal. Without meaning to express any opinion on merits of the controversy, bail to the petitioner subject to satisfaction of the trial Court. However, she shall remain bound by the following conditions:-

- (i) She shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer; and*
- (ii) she shall not leave India without the previous permission of the Court.*

22.05.2017
yakub

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No