

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

CRM No. M-15064 of 2017 (O&M)

Date of Decision: 13.09.2017.

Savitri Devi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. J.S. Grewal, Advocate,
for the petitioner.

Mr. AS Gill, Sr. DAG Punjab.

Mr. Gaurav Mannan, Advocate,
for the complainant.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 Cr.P.C seeking bail in case FIR No. 31 dated 27.04.2016 registered under Section 306 read with Section 34 IPC however the charge framed under Sections 304-B and 306 read with Section 34 IPC, at Police Station Khuhian Sarwar, Tehsil Abohar District Fazilka.

Learned counsel for the petitioner contends that initially, the FIR was registered under Section 306 read with Section 34 IPC. However, after investigation the charge was framed under Sections 304-B and 306 read with Section 34 IPC. It is further contended that similarly placed accused Leelu, husband of the petitioner has been admitted to bail vide order Annexure P-4 dated 23.3.2017. The marriage took place in the year 2011 whereas, the death has happened in the year 2016. There was no complaint against the

petitioner during the interregnum period. Otherwise also, the petitioner being household lady was not in position to exert any interference or concern with the matrimonial life of his son and daughter-in-law.

On the other hand, the learned State counsel opposes the bail application. Learned State counsel informs that along with the deceased two children also perished in the occurrence.

Heard.

Considering the fact that the complainant and other material witnesses have been examined; the petitioner is in custody since 27.04.2016 but as of now out of 15 PWs, 11 still remains to be examined; the case of the petitioner is at par with that of co-accused-husband Leelu who has been released on bail by this Court, so, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on her furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

13.09.2017.

SN

(JITENDRA CHAUHAN)

JUDGE

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