

221-a **IN THE HIGH COURT OF PUNJAB AND HARYANA**
 AT CHANDIGARH

Criminal Misc. No. M- 17525 of 2017 (O&M)

Date of decision : October 26, 2017

Indrawati

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Parveen Sharma, Advocate for the petitioner.

Mr. Sanjay K. Saini, AAG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No. 408 dated 15.10.2016 under Section 304B, 34 IPC registered at Police Station Sonipat Sadar, District Sonipat.

The petitioner is the mother-in-law of the deceased. It is submitted that the petitioner is an old lady and no specific allegations have been levelled against her. She has been involved in the matter due to her relationship with the deceased. There are two children of the deceased and the petitioner's son. One of the child is stated to be suffering from a serious ailment. It is, thus, prayed that this petition be allowed.

The petitioner was afforded interim bail by this Court on 26.05.2017 and report regarding the disease suffered by the minor child was called for.

As per status report dated 11.10.2017 by way of affidavit of Sh. D.K. Bhardwaj, HPS, ASP, it is mentioned that minor child – Viren

was undergoing treatment from Girdhar Hospital, Bawa Trana Road, Khanna Colony, Sonipat and as per the medical record, the stomach was found to be partially distended, the duodenum collapsed and third part of duodenum is seen to cross the mid-line with maintained SMA-SMV relationship. Certificate of the concerned Doctor is attached as Annexure R-1 with the said status report. It is further mentioned in the said report that another son and daughter-in-law of the petitioner can very well maintain the said child. However, it is not in dispute that the minor child – Viren requires sustained and regular treatment.

It is informed by learned counsel for the State, on instructions from ASI Sanjeev Kumar, that there are twenty one (21) prosecution witnesses to be examined, in this case, as yet. The petitioner is not reported to be involved in any other criminal case. The petitioner has been in custody since October, 2016. Trial, in this case, is not likely to conclude in the near future.

Keeping in view the peculiar facts and circumstances noted above, especially the medical condition of the child, but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, interim bail afforded to the petitioner by the learned trial Court pursuant to order dated 26.05.2017 be made absolute subject to her furnishing fresh bail bonds and surety to the

satisfaction of the learned trial Court.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

October 26, 2017

(Lisa Gill)
Judge

rts

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