

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

CRM-M-26650-2017 (O&M)
Date of decision : 08.09.2017

Sukhdev Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Deepak Aggarwal, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab,
assisted by ASI Baltej Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking regular bail in FIR No.77 dated 27.04.2017, registered under Sections 306 and 304-B (added subsequently) of the Indian Penal Code (for short, 'the IPC'), at P.S. Raman, Distt. Bathinda.

It is contended that the petitioner is the mother-in-law of the deceased. Initially, the FIR was registered under Section 306 IPC. Section 304-B IPC has been added subsequently. No specific allegations have been levelled against the petitioner. Even as per the FIR, the demand of car was made by the co-accused/husband which would not have been of any use to the petitioner. She is in custody since 29.04.2017. The challan already stands presented.

On the other hand, learned State counsel has opposed the instant petition on the ground that specific allegations of harassment and demand of dowry have been levelled against the petitioner. On instructions, he states that the challan stands presented and the matter is now fixed for

framing of charge.

Heard.

Keeping in view the facts that the petitioner is the mother-in-law of the deceased; she is in custody since 29.04.2017; and the trial is yet to commence as the charges have not been framed so far; this Court feels that no useful purpose would be achieved in keeping the petitioner under further incarceration.

In view of the above, without advertng to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on her furnishing bail bonds and surety bonds, to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

However, anything noticed hereinabove shall not be construed as an expression of opinion on the merits of the case.

08.09.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No