

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

CRM-M-31968-2017 (O&M)
Date of decision : 06.11.2017

Krishna

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sunil Sheoran, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana,
assisted by ASI Joginder Singh.

Mr. Lalit Kumar, Advocate for the complainant.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.222 dated 18.05.2017, registered under Sections 302 and 498-A read with Section 34 of the Indian Penal Code (for short, 'the IPC') (subsequently converted to Sections 306 and 498-A read with Section 34 IPC), at P.S. Sadar Charkhi Dadri, District Bhiwani.

Contents that the petitioner is the mother-in-law of the deceased. She is a known patient of Tuberculosis. There is no specific allegation against her except the bald assertion that she harassed the deceased for bringing insufficient dowry. It is asserted that the marriage took place on 15.12.2005 and therefore, at this belated stage, the allegation of demand of dowry has only been levelled to frame the petitioner. In fact, the deceased was a victim at the hands of her parents, as reflected in the suicide note left by her, which has not been taken on record.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits that no

authenticity could be placed with the suicide note which does not bear any date and even the date of marriage has been wrongly noticed. She further informs that the complainant stands examined.

Heard.

Considering the facts that the marriage took place in the year 2005, the petitioner is the mother-in-law who is a known patient of Tuberculosis, out of 16 prosecution witnesses, 14 more witnesses are yet to be examined and the complainant already stands examined, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on 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.

06.11.2017
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No