

CRM-M No. 33887 of 2016 (O&M)

Date of decision : February 09, 2017

Chameli Devi

.....Petitioner

Versus

State of Haryana

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Vivek Goyal, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No. 221 dated 07.09.2016 registered under Section 306 read with 34 IPC at Police Station Chandimandir, District Panchkula.

The above said FIR was registered on the basis of the statement of Pyar Singh i.e. the father of the deceased. The petitioner is the mother-in-law of the deceased. It is submitted by learned counsel for the petitioner that the unfortunate incident in question occurred after six years of marriage. There is no specific allegation of any kind of harassment or ill-treatment qua the petitioner in all these years. It is further contended that no child was born out of this wedlock and the deceased was crest-fallen due to this reason. There are no allegations of abetment or instigation. The co-accused i.e. the husband of the petitioner and her son have since been granted the concession of regular bail. The petitioner has joined investigation pursuant to order dated 23.09.2016. Therefore, this petition be allowed.

Learned counsel for the State, on instructions from ASI Zile Singh, Police Station Chandimandir, Panchkula, verifies that the petitioner has indeed joined investigation. It is further submitted that her custodial interrogation is not required. No recovery has to be effected from her.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that she is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail. It is informed that the challan/report under Section 173 Cr.P.C. has been presented against the co-accused. The complainant has deposed before the trial Court.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition. Consequently, order dated 23.09.2016 is made absolute.

February 09, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No