

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Criminal Misc. No.M- 36071 of 2017(O&M)

Date of Decision: November 22 , 2017.

Narinder Kaur PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Rahul Rathore, DAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.128 dated 03.06.2017 under Sections 306/34 IPC (the offence punishable under Sections 304B/498A IPC added subsequently), registered at Police Station Kotwali, Kapurthala, District Kapurthala.

It is submitted that marriage of the petitioner's son was solemnized with the deceased in the year 2012. There is nothing on record to indicate that in all these years the deceased was ever subjected to harassment or cruelty at the

hands of the petitioner, who is the mother-in-law of the deceased. It is further submitted that no specific allegations qua the petitioner alone has been raised. There are general allegations against all the accused. It is further contended that the version given in the FIR is not borne out from the post-mortem report which does not reflect any injury on the person of the deceased. The petitioner's son is in custody. The petitioner, it is submitted, is not involved in any other criminal case. Trial is not likely to conclude in the near future. Challan has since been presented. Therefore, it is prayed that this petition be allowed.

Heard learned counsel for the parties.

Learned counsel for the State, on instructions from ASI Balbeer Singh, informs that final report under Section 173 Cr.P.C. has since been presented. The petitioner is not reported to be involved in any other criminal case. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts before the Court, if released on bail.

Keeping in view the facts and circumstances as above but without commenting upon or expressing any opinion on the merits of the case, this petition filed by Narinder Kaur is allowed. The petitioner be released on bail pending trial subject to her furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall

be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

November 22 , 2017.
'om'

(LISA GILL)
JUDGE

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