

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

**CRM No.M-38030 of 2016
Date of decision: 01.02.2017**

Darshana Kapoor

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Mahesh Dheer, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

REKHA MITTAL J.

The petitioner prays for grant of regular bail in FIR No.278 dated 26.10.2014 for offence punishable under Section 304-B with alternative charge under Section 302 of the Indian Penal Code (in short 'IPC') registered at Police Station City, Jagraon.

Counsel for the petitioner has submitted that the petitioner is in custody since 23.11.2015, therefore, she has already suffered incarceration for a period of 01 year and more than 02 months. It is further argued that on completion of investigation, challan has been presented in the Court, therefore, there is no possibility of the petitioner tampering with the prosecution evidence in case enlarged on bail.

Counsel for the State has vehemently opposed the bail application with the submission that there are grave and serious allegations of harassment of the victim due to demand of dowry who died an unnatural death during her stay in the matrimonial home just after 2½ years of marriage. Another submission made by counsel is that the earlier bail application of the petitioner was dismissed by this Court

on 04.08.2016 and the present application has been filed in October, 2016 without making out a good ground for grant of bail.

I have heard counsel for the parties and perused the paperbook particularly the order dated 04.08.2016 passed in CRM No.M-25799 of 2016 decided on 04.08.2016 (Annexure P5).

Amardeep Kaur was married to son of the petitioner about 2½ years prior to unfortunate death of the victim during her stay in the matrimonial home. As has been noticed by this Court in the order dated 04.08.2016, there are allegations of harassment and demand of dowry against the petitioner (mother-in-law). Taking into consideration the allegations brought-forth against the petitioner gravity of charge and there being no justification to entertain plea of the petitioner for bail just two months after decision of the earlier bail application in August, 2016, I do not think it to be a fit case wherein the petitioner deserves to be given the benefit of bail.

For the foregoing reasons, the petition fails and is accordingly dismissed. However, nothing stated hereinbefore would be construed as expression of opinion on merits of the case during trial.

(REKHA MITTAL)
JUDGE

01.02.2017
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No