

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

CRM No. M-38713 of 2017.

Date of Decision: 30.10.2017.

Kashmir Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. B.S. Khehar, Advocate,
for the petitioner.

Ms. Anju Arora, Addl. AG Punjab.

JITENDRA CHAUHAN.J.(ORAL)

The present petition has been filed under Section 439 Cr.P.C seeking bail in case FIR No.66 dated 08.09.2015 registered under Sections 306 and 304-B IPC at Police Station Sadar Batala, District Gurdaspur.

Learned counsel for the petitioner contends that initially, on the basis of statement dated 08.09.2015, the FIR was registered under Section 306 IPC however, subsequently, on the basis of supplementary statement recorded after gap of one year, offence under Section 304 -B IPC was added without there being any allegation. In the FIR, there are no specific allegations against the petitioner rather vague allegations and marked improvements have been made in the supplementary statement. The petitioner is mother-in-law and is in custody since 10.09.2015.

On the other hand, the learned State counsel opposes the bail application. It is contended that there are specific allegations. It is informed that the complainant has been examined.

Heard.

Considering the fact that the challan stands already presented, offence under Section 304-B IPC has been added after a gap of one year; the petitioner is in custody since 10.09.2015, statement of the complainant has already been recorded; out of 16 prosecution witnesses, only one has been examined so far, therefore, it can be safely inferred that the completion of trial will take a long time so, without commenting on the merits of the case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on her furnishing bail bonds and surety bonds to the satisfaction of trial Court/duty Magistrate concerned.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

30.10.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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