

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

CRM-M-41447-2017

Date of decision : 08.11.2017

Surender Kaur

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Pawan Attri, Advocate for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana,
assisted by SI Rajbeer Singh.

JITENDRA CHAUHAN, J. (Oral)

The instant petition has been preferred under Section 439 Cr.P.C. seeking bail in FIR No.39 dated 11.03.2017, registered under Sections 323, 328, 304-B and 498-A read with Section 34 of the Indian Penal Code, at P.S. Cheeka.

Contents that the petitioner, aged more than 70 years, is the mother-in-law of the deceased. The petitioner with her son (husband of the deceased) removed her to the hospital. The complainant already stands examined and he has not supported the prosecution version.

On the other hand, learned State counsel has opposed the instant petition. On instructions, learned State counsel submits that the deceased died in her matrimonial home within 1 ½ years of marriage. She was administered poison by the petitioner and her son. Out of 23 prosecution witnesses, 6 already stand examined, whereas, 2 have been given up.

Heard.

Considering the facts that the petitioner is more than 70 years of age, she is in custody since 16.03.2017, the complainant already stands examined and the conclusion of the trial may take a considerable time as 14 prosecution witnesses are yet to be examined, this Court feels that no useful purpose would be achieved in keeping the petitioner under further incarceration.

Accordingly, 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.

08.11.2017

atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No