

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

Criminal Misc. No.M- 42300 of 2017(O&M)

Date of Decision: November 16 , 2017.

Sushila PETITIONER (s)

Versus

State of Haryana RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Karamveer Singh Banyana, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

The petitioner prays for bail pending trial in FIR No.97 dated 01.04.2016 under Sections 304B/34 IPC registered at Police Station Panipat Sadar, District Panipat.

Petitioner is the mother-in-law of the deceased. Learned counsel for the petitioner submits that no specific allegations have been raised against the present petitioner. The complainant in this case has testified before the learned trial court however, the mother and two real brothers of the deceased have not supported the prosecution version. They have been declared hostile. Testimony of the two brothers (PW2 and PW3) and the mother (PW6) of the deceased are attached as Annexures P4, P5 and P6, respectively, with this petition. It is further submitted that similarly situated co-accused Suresh (i.e.,

the father-in-law of the deceased) has been afforded the concession of bail pending trial on 26.07.2017 in CRM No.M-1351 of 2017 (Annexure P3). It is thus prayed that this petition be allowed.

Learned counsel for the State, on instructions from SI Dinesh Kumar, verifies the abovesaid position. It is informed that only nine out of twenty one prosecution witnesses have been examined. 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 peculiar facts and circumstances of this case.

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 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 Sushila 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 16 , 2017.
'om'

(LISA GILL)
JUDGE

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