

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

**CRM No.M-43398 of 2016
Decided on: 20.03.2017**

Saroj

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

Present : Mr. R.S. Hooda, Advocate for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

REKHA MITTAL, J. (Oral)

The petitioner prays for grant of regular bail under Section 439 of the Code of Criminal Procedure (in short 'Cr.P.C.') in FIR No.332 dated 14.08.2015, for offence punishable under Sections 304-B, 302 read with Section 34 of the Indian Penal Code (in short 'IPC') registered in Police Station Rai, District Sonapat.

Counsel for the petitioner has submitted that marriage of Pooja (since deceased) was performed with Sawan Singh son of the petitioner on 19.04.2009 but unfortunately Pooja committed suicide on 14.08.2015 by consuming poison. During subsistence of matrimony for a period of 06 years and 04 months, no complaint whatever was made by the victim or her parents with regard to demand of dowry or harassment in connection thereof. It is further argued that the deceased neither left behind any suicide note much less recording a statement as dying declaration attributing any role to the petitioner (mother-in-law) for her unfortunate end. It is further argued that the material witnesses

in the case namely Sundri, mother and Nand Kishore, father of the deceased have already been examined on 01.03.2017 and both of them have failed to support the prosecution case or say something against the petitioner with regard to any demand of dowry or harassment to the deceased in connection with the said demand. The last submission made by counsel is that the petitioner may be released on bail pending trial and she is ready to face the proceedings, in accordance with law.

Counsel for the State has opposed the prayer for bail with the submission that only official witnesses remain to be examined. However, he has not disputed that the material witnesses i.e. the complainant and mother of the deceased did not support the prosecution version.

I have heard counsel for the parties and perused the paperbook.

Be that as it may, parents of the deceased have failed to stand by their earlier version with regard to any harassment to the deceased in connection with demand of dowry. Conclusion of the trial is likely to take some more time. The law is liberal with regard to grant bail to a woman.

Without commenting upon merits of the case, bail to the petitioner subject to satisfaction of the trial Court. However, she shall abide by the following conditions:-

(i) She shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade his/her from disclosing such facts to the Court or to any police officer; and

(ii) She shall not leave India without the previous permission of the Court.

20.03.2017
yakub

(REKHA MITTAL)
JUDGE

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