

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

CRM-M No.42520 of 2017

Date of decision: November 28, 2017

Suhagwanti

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab
for the respondent-State.

Mr. B.S. Bhalla, Advocate
for the complainant.

LISA GILL, J.(ORAL)

Petitioner who is the mother in law of the deceased seeks the concession of bail pending trial in case FIR No.83 dated 18.06.2017, under Sections 304-B, 498-A, 34 of Indian Penal Code, registered at Police Station Kot-Ise-Khan, District Moga.

It is submitted that no specific allegation has been levelled against the present petitioner except that she used to demand a bigger refrigerator from the deceased. Learned counsel for the petitioner submits that marriage in this case was solemnized on 28th November, 2010. A child was born out of this wedlock. There is no evidence of any instance of ill-treatment or harassment being meted out to the deceased by the petitioner since her marriage in the year 2010 till the date of the incident. It is submitted that it is mentioned in order dated 1st November, 2017 in *CRM-M No.40188 of 2017* that there is no evidence on record at this stage to indicate any protest in respect to the demand of dowry since 2010 till the date of the alleged incident. The petitioner's husband i.e. the father-in-law of the deceased has been afforded concession of

bail pending trial by this Court on 1st November, 2017 in *CRM-M No.40188 of 2017* (Annexure P-8). It is submitted that challan has since been presented and charge has been framed. Therefore, it is prayed that this petition be allowed.

Heard learned counsel for the parties.

Learned counsel for the State verifies that charge against the petitioner has been framed. The petitioner is not reported to be involved in any other criminal case. There are no allegations on behalf of the State that petitioner is likely to abscond or that she is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail. Trial in this case is not likely to conclude in the near future. No useful purpose shall be served by incarcerating the petitioner any longer.

Keeping in view the facts and circumstances of the case but without expressing any opinion on the merits thereof, it is considered just and expedient to allow this petition. Consequently, the petitioner be released on bail pending trial subject to her furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

November 28, 2017
m. sharma

(LISA GILL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No