

CRM-M No. 44914 of 2016 (O&M)

Date of decision : March 01, 2017

KAMLA

.....Petitioner

Versus

STATE OF HARYANA

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. H.S. Gill, Senior Advocate with
Mr. Nitin Rampal, Advocate
for the petitioner.

Mr. Anmol Malik, AAG, Haryana.

LISA GILL, J.

Prayer is for bail pending trial to the petitioner in FIR No. 147 dated 28.09.2015 registered under Sections 498A, 304B, 120B and 34 IPC at Police Station Kaithal Sadar, District Kaithal.

It is submitted that the petitioner is the mother-in-law of the deceased. The allegations raised against her in the FIR are general in nature. There is no specific allegation against the petitioner, which would invite rigors of the offences, for which she has been charged. Furthermore, the so-called suicide note is itself suspect. The names of all the family members are mentioned in seriatim in the said suicide note. No specific role is attributed to the petitioner or any of the said family members in this note. Furthermore, it is submitted that the petitioner is in custody since 07.10.2015. The material witnesses including the complainant have been examined. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Bhim Singh, Police Station Sadar, Kaithal, informs that material witnesses including the complainant have since been examined.

I have heard learned counsel for the parties.

The petitioner, who is the mother-in-law of the deceased, is in custody since 07.10.2015. The material witnesses in this case have been examined. Nineteen (19) witnesses are yet to be examined. The trial of this case is not likely to conclude in the near future. Further incarceration of the petitioner is not called for.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just and expedient to allow this petition.

Consequently, the petitioner shall be released on bail pending trial subject to her furnishing requisite bail bonds and surety bonds to the satisfaction of 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.

March 01, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No