

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

Criminal Misc. No.M- 44917 of 2016(O&M)

Date of Decision: March 22 , 2017.

Roshni Devi PETITIONER (s)

Versus

State of Punjab RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Akshay Bhan, Senior Advocate with
Mr. Gurinder Singh, Advocate
for the petitioner.

Mr. K.D.Sachdeva, Addl.AG, Punjab.

Mr. Aditya Dassaur, Advocate
for respondent No.2.

LISA GILL, J.

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.360 dated 05.11.2016 under Section 304B/34 IPC registered at Police Station Zirakpur, District SAS Nagar, Mohali. The petitioner is mother-in-law of the deceased.

It is not in dispute that the petitioner was living separately from the deceased and her husband i.e. the petitioner's son. The couple had moved to a separate flat 6-7 months prior to the incident in question. Learned senior counsel for the petitioner submits that the co-accused i.e. brother-in-law and sister-in-law (Jeth and Jethani) of the deceased have been afforded the concession of anticipatory bail on 06.12.2016 by this Court in CRM No.M-42056 of 2016 (Annexure P8). Co-accused Rajnish Rana i.e. husband of the

deceased is in custody. It is further submitted that general allegations have been levelled against the petitioner in this case. There is no specific allegation qua her therefore, this petition be allowed.

Learned counsel for the complainant vehemently argues that there are specific and grave allegations against the petitioner. It is however not denied by learned counsel for the complainant or learned counsel for the State that the deceased and her husband were residing in separate premises.

Learned counsel for the State, on instructions from ASI Narinder Kumar, submits that the petitioner has joined investigation and she is not required for custodial interrogation. It is informed that the challan/final report under Section 173 Cr.P.C. has been filed. The charge against the petitioner has also been framed.

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 in the Court, if released on bail.

Keeping in view the facts and circumstances but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 16.12.2016 is made absolute.

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 confined for the purpose of decision of the present petition only.

March 22 , 2017.
'om'

(LISA GILL)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No