

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

CRM-M No. 6174 of 2017(O&M)

Date of decision: 10.5.2017

Kamlawati Devi and anotherPetitioners

VERSUS

State of U.T. ChandigarhRespondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Sutkishan Sharma, Advocate for the petitioners.

Mr. A.S. Virk, Addl. P.P. U.T. Chandigarh.

REKHA MITTAL, J.

The petitioners pray for grant of regular bail in FIR No.197 dated 16.11.2016 under Sections 498-A, 304-B read with Section 34 of the Indian Penal Code, 1860 (in short 'IPC'), registered at Police Station Mauli Jagran, U.T. Chandigarh.

Counsel for the petitioners would submit that the petitioners are the parents of Raj Kumar, husband of the deceased. It is argued that as per allegations raised in the FIR, complainant spent Rs.3 lakhs at the time of marriage by selling his land but he has failed to produce on record any evidence with regard to sale of land. It is further submitted that no specific allegations have been levelled against the petitioners with regard to demand of dowry or harassment to the deceased in connection thereof. The complainant is stated to be already examined and conclusion of the trial is likely to take some time.

Counsel representing U.T. Chandigarh has opposed the prayer for bail with the submission that in view of gravity of offence under Section 304-B IPC, the petitioners are not entitled to be released on bail.

Be that as it may, there is no specific allegation against the petitioners with regard to any harassment/cruelty to the deceased at their behest. Challan has been presented in the Court, trial is in progress, the complainant has already been examined and conclusion of trial is likely to take some time.

In view of the above, without dilating further qua merits of the case lest it may cause prejudice to either of the parties during trial, bail to the petitioners subject to satisfaction of the trial Court in case the prosecution fails to conclude its evidence, without any fault attributable to the petitioners within a period of two months from the date of receipt of certified copy of the order. In case the petitioners are released on bail, they shall abide by the following conditions:-

- (i) they shall not offer any threat, promise or inducement to any person acquainted with the facts of the case so as to dissuade him from disclosing the same to the Investigating Officer/Court; and
- (ii) they shall not leave the limits of this country without prior permission of the Court.

MAY 10, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no