

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

Crl. Misc. M-11064 of 2018 (O&M)

Date of Decision: April 24, 2018

Ram Bati

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. A.S. Manaise, Advocate
for the petitioner.

Mrs. Anju Arora, Addl. AG Punjab.

Mr. Kanwaljeet Singh, Advocate
for respondent No.2.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.10 dated 14.02.2018, under Section 306 of Indian Penal Code, registered at Police Station Ghanie Ke Banger, Police District Batala, District Gurdaspur.

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 14.02.2018. It is submitted that the marriage between Ranjodh Singh, son of the petitioner and the deceased was solemnized four years back, out of which wedlock, three children have been born, in fact, there is no one to look after them at the present moment. It is also submitted that

the matter has been compromised with the complainant, who has furnished an affidavit to the effect that he would have no objection in case, proceedings under the FIR are quashed. It is argued that the at the present moment, the petitioner herein is seeking regular bail, since the minor children have to be looked after.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, who is the mother-in-law of the deceased, while submitting that the offences alleged against her are grievous in nature, therefore, she is not entitled to be released on regular bail at the present moment.

On the other hand, learned counsel appearing of the complainant submits that there was misunderstanding between the parties, which led to the registration of the instant FIR. In fact, the deceased had consumed some tablets, which had expired and it is on this account that she died.

I have heard learned counsel for the parties.

The investigation is complete in the matter, as the challan has already been presented. In view of the facts that the petitioner herein is aged 60 years, there is no other person to look after the minor children and that matter has been compromised with the complainant, apart from the fact that Ranjodh Singh, husband of the deceased is still in custody, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular

bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate.

April 24, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No