

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

Date of Decision: September 06, 2018

1. **Crl. Misc.M- 20272-2018 (O&M)**

Nathu Ram

...Petitioner

Versus

State of Haryana

...Respondent

2. **Crl. Misc.M- 35523-2018 (O&M)**

Urmila Devi

... Petitioner

Versus

State of Haryana

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Aditya Sanghi, Advocate
for the petitioner.

Ms. Gaganpreet Kaur, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

By this common order, this Court proposes to dispose of both the above mentioned petitions, as they arise out of the same set of facts.

The instant petitions have been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners i.e. Nathu Ram and Urmila Devi, who are the father-in-law and the mother-in-law of the deceased Jyoti in

case FIR No. 501 dated 05.09.2017, under Sections 498-A, 304-B, 34 of Indian Penal Code registered at Police Station Mohindergarh.

Learned counsel for the petitioners contends that the petitioners herein were taken into custody in the aforesaid FIR on 05.09.2017. It is argued that the charges in the said matter have been framed and the complainant has been examined. It is also argued that the husband of the deceased is still in custody while submitting that a minor boy, born out of the wedlock is with the mother-in-law-Urmila, who is in jail and that the conclusion of trial will take sufficient time, therefore, the petitioners are entitled to be enlarged on bail.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, oppose the grant of regular bail to the petitioners, while submitting that offences alleged against the petitioners are serious in nature and that the death took place within 01 year and 6 months of the wedding, however, she does not dispute the fact that the charges in the matter have been framed and that out of total 17 witnesses, 03 have been examined including the complainant .

I have heard learned counsel for the parties.

Since, the trial is likely to take some time and in view of the facts that that the petitioners herein have been in custody since 05.09.2017 and that a minor child, born out of the wedlock, is with the mother-in-law-Urmila, who is in jail and that the charges in the matter have been framed and that out of total 17 witnesses, 03 have been examined including the complainant, no useful purpose would be served in keeping the petitioners behind bars. At this stage, without expressing any opinion on the merits of

the case, the instant petition is allowed and the petitioners are is directed to be released on regular bail on execution of adequate personal bonds and surety bonds to the satisfaction of concerned trial Court/Duty Magistrate.

A photocopy of this order be placed on the other file(s) connected with this case.

September 06, 2018
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No