

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

CRM-M-22812-2018

Date of decision:- 27.7.2018

Saroj

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Ashit Malik, Advocate
for the petitioner.

Mr.Neeraj Poswal, AAG, Haryana.

H.S. MADAAN, J. (Oral)

This petition has been filed for the grant of regular bail to the petitioner – Saroj, an accused in FIR No.18 dated 11.1.2017 under Sections 498-A, 406, 304-B, 34 IPC, registered at Police Station Kundli, District Sonapat.

Briefly stated, the facts of the case as per prosecution version are that criminal machinery in this case was set into motion by complainant Pardeep, who in the written complaint submitted by him to the police on 11.1.2017 submitted that his sister Payal was married with Sachin son of Sarjit, resident of Aterna on 5.3.2016; that after some months of marriage Sachin – husband, Nikki – brother-in-law, Saroj – mother-in-law and Ugarsain – uncle-in-law of Payal started giving her

beatings and demanding dowry, though the matter was compromised several times but there was no change in behaviour of husband and his family towards Payal; that fed up with such behaviour Payal committed suicide on 11.1.2017; that at that time Sachin, Nikki, Saroj and Ugarsain were present in that house. On such written complaint, formal FIR was registered. Petitioner - accused Saroj was arrested in this case on 12.1.2017. She had moved an application for regular bail in Court of Sessions but was unsuccessful as the same was dismissed vide order dated 7.7.2017 passed by learned Additional Sessions Judge/Special Judge, Sonapat, as such, she has approached this Court for grant of similar relief.

Notice of the petition was given to the State and State counsel has put in appearance.

I have heard learned counsel for the petitioner and learned State counsel besides going through the record.

Learned counsel for the petitioner has contended that the petitioner is a woman; that there was no reason for the petitioner to misbehave with the deceased or harass her to bring more dowry articles; that the challan is at preliminary stage inasmuch as only one prosecution witness has been examined.

Whereas, learned State counsel has opposed the petition stating that there are specific allegations with regard to petitioner and her name has been specifically mentioned in the FIR; that the deceased had died within one year of the marriage, which itself goes to show that something was wrong otherwise there was no occasion for the deceased to commit suicide.

After hearing the rival contentions of learned counsel for the parties, I find that keeping in view the facts and circumstances of the case including the fact that petitioner is named in the FIR and specific incriminating allegation showing commission of offences under Section 498-A, 406, 304-B, 34 IPC are there against her and that a young married girl had died within one year of marriage, the petitioner is not found entitled to grant of bail. The trial against the accused is going on, which is likely to be concluded in near future. Her guilt shall be determined during the trial. Therefore, no ground is made out for grant of regular bail to the petitioner.

Finding no merits in the petition, the same stands dismissed.

However, while parting with the discussion, the trial Court is directed to conclude the trial expeditiously preferably within a period of six months from the date of receipt of copy of this Court in the said Court.

27.7.2018
Brij

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No