

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

CRM-M-26911 of 2018.

Decided on:-September 12, 2018.

Saroj.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

CORAM: *HON'BLE MR. JUSTICE HARI PAL VERMA.*

Present:- Mr. Vikas Mor, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

HARI PAL VERMA, J.

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in FIR No.203 dated 25.05.2017 under Sections 302 and 323 read with Section 34 IPC registered at Police Station Sadar Sonapat.

The aforesaid FIR was registered on the statement of Darshana daughter of Dharam Pal, who stated in her complaint that she was married with Sunil son of Puran about 12 years back. Her mother-in-law Beermati and brother-in-law Bhola stayed in the same house, though separately for the last about 5-6 years. Two years back, her brother-in-law Bhola administered poison to her forcefully, but the matter was sorted out between the parties. For the last about 1½ months her sister-in-law Saroj (petitioner herein) had come

to stay in their house after having an argument with her in-laws. She had a fight with the complainant many times. On 24.05.2017, her mother-in-law Beermati, sister-in-law (petitioner) and brother-in-law Bhola had a fight with her and gave beating to her with an intention to kill her. Petitioner Saroj and co-accused Beermati poured kerosene on her and her brother-in-law Bhola lighted the match-stick and threw her (Darshana) out. They left her alone and ran away. Her husband took her for treatment to Government Hospital, Sonapat from where she was referred to PGI, Rohtak. However, instead of taking her to PGIMS Rohtak, her husband and her brother got her admitted in SINGNUS Hospital, Sonapat. Later on, she died during her treatment on 04.06.2017.

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in the case by the police. She is innocent married woman living with her in-laws and nothing has been recovered from the possession of the petitioner. There is no evidence to link her with the incident. The petitioner never came to stay in the house of deceased Darshana and rather, she has been staying in her own matrimonial house. Therefore, there is no question of her involvement in the offence. Moreover, Sunil, who is husband of deceased Darshana, has deposed as PW1 before the trial Court that the petitioner is married and residing in her matrimonial house and no beating was given to Darshana by his brother, mother and sister (petitioner).

On the other hand, learned State counsel has argued that specific allegations have been levelled against the petitioner, which are serious in nature and, therefore, the petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

The allegations levelled against the petitioner are serious in nature. She is sister-in-law of the deceased and allegedly used to harass her. On 24.05.2017, she along with other co-accused Beermati (mother-in-law of the deceased) and Bhola (brother-in-law of the deceased) had set ablaze Darshana after pouring kerosene on her. The complainant, who died because of burns, had specifically named the petitioner in her complaint. The FIR in question was registered on the basis of statement of deceased herself. Thus, the plea of learned counsel for the petitioner that Sunil (PW1) has not deposed against the petitioner and he was declared hostile, cannot be accepted at this stage. Therefore, this Court finds that no ground for grant of regular bail to the petitioner is made out.

Accordingly, the present petition, being devoid of any merit, is dismissed.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced by the same.

September 12, 2018
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No