

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

CRM-M-32302-2018

Date of decision: 09.08.2018

Sunita

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. R.S. Kundu, Advocate,
for the petitioner.

Mr. P. P. Chahar, DAG, Haryana.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, who is the mother-in-law of the deceased Renu, in case FIR No. 963 dated 01.11.2017 under Sections 304-B /34 IPC, registered at Police Station Model Town, Panipat.

Learned counsel appearing on behalf of the petitioner would contend that the allegations as set out in the FIR are false and fabricated and she has been falsely implicated. It is contended that the marriage between her son and the deceased was solemnized as far back as 07.02.2013 and in the interregnum no complaint has been lodged with the police or any other authority regarding illtreatment meted out to her. It is contended that the deceased had two children, who are minor and are currently residing

with the petitioner's son. It is also contended that the trial is likely to take some time to conclude since an application under Section 319 Cr.P.C. has been filed seeking to rope in the father-in-law Kuldeep, two sister's-in-law and the younger brother.

Learned counsel appearing on behalf of the respondent-State opposes the grant of regular bail to the petitioner herein but does not dispute the fact that an application under Section 319 Cr.P.C. has been filed.

I have heard learned counsel for the parties and have perused the pleadings of the case.

In view of the fact that the petitioner has been in custody since 06.11.2017 and the trial is underway, no useful purpose would be served in keeping her incarcerated. It is also noted that the material witness has already given his statement even though examination-in-chief is still pending. The petitioner would not be in a position to influence the said complainant. Without expressing any opinion on merits of the case, the petitioner is ordered to be released on regular bail on furnishing bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned subject to following terms:-

- (i) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (ii) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his

presence in accordance with law. In that eventuality the accused shall have to apply for bail afresh before the trial Court.

(iii) He shall not leave the country without the previous permission of the Court.

However, it is left open to the respondent-State to move for cancellation of regular bail in case the petitioner herein is found tempering or influencing the witnesses.

09.08.2018

Satyawan

Whether speaking/reasoned

Whether reportable

(JAISHREE THAKUR)
JUDGE

Yes.

No.