

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

216

CRM-M-9218-2019

Date of Decision:26.03.2019

Malti Devi

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Amandeep Singh, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Petitioner who is mother-in-law of deceased-Gunjan Devi has preferred the present petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.93 dated 26.07.2018 under Sections 306, 34 IPC, registered at Police Station Doraha, District Khanna, Ludhiana.

Learned counsel for the petitioner states that petitioner is mother-in-law of the deceased. The marriage of Bal Krishan (son of the petitioner) was solemnized with Gunjan Devi (deceased) on 25.04.2011. The deceased Gunjan Devi had committed suicide after more than seven years of her marriage. The allegations against the petitioner and other family members are that the deceased was not allowed to meet or to talk with her parents on phone and she was made to work in a factory against the wishes of the deceased despite having two small children. Petitioner is in

custody since 26.07.2018, the date on which the FIR was registered. He has argued that no specific role is attributed to the petitioner and in the absence of any dying declaration left out by the deceased, the allegations are yet to be proved during the course of trial. The trial in the case will take sufficient long time as against total 12 witnesses cited by the prosecution, only 03 witnesses have been examined.

Learned State Counsel on instructions from ASI Mohinder Pal Singh states that it is because of circumstances made by the petitioner and her family members, the deceased committed suicide. There are serious allegations against the petitioner and her family members as the deceased was harassed by the petitioner for which she was disturbed.

Heard learned counsel for the parties.

Admittedly, the deceased died after about seven years of marriage and there is no specific allegation against the petitioner that she was instrumental in abetting the deceased to commit suicide. Petitioner is in custody since 26.07.2018. The trial in the case will take sufficient long time as against total 12 witnesses cited by the prosecution, only 03 witnesses have been examined so far.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of her bail bonds/surety bonds to the satisfaction of trial Court.

However, it is made clear that the observations made hereinabove shall not be construed as an expression on the merits of the case. The trial Court shall proceed with the trial independently without being influenced by the order of bail passed by this Court.

It is made clear that the petitioner shall not extend any threat and shall not try to influence any prosecution witnesses directly or indirectly in any manner.

March 26, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No