

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217+106

CRM-M-30181-2019(O&M)

Date of Decision:25.11.2019

Ranjit Kaur

.....Petitioner

Versus

State of Punjab and another

.....Respondents

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

Present: Mr. Vikram Chaudhri, Senior Advocate with
Mr. Sartaj Singh Gill, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Aditya Sanghi, Advocate and
Ms. Sukhpreet Kaur, Advocate,
for the complainant-respondent No.2.

HARI PAL VERMA, J.(Oral)

CRM-23890-2019

Prayer in this application filed under Section 482 Cr.P.C. is for impleading the complainant-Harvinder Singh as respondent No.2 in the present petition with a further prayer to place on record the amended Memo of Parties.

Application is allowed, as prayed for. The complainant-Harvinder Singh is ordered to be impleaded as respondent No.2. The amended Memo of Parties is taken on record.

CRM-23902-2019

Prayer in this application filed under Section 482 Cr.P.C. is for

placing on record the documents(Annexures A-1 to A-6) with a further prayer to dispense with filing certified copies thereof.

Application is allowed, as prayed for. The documents (Annexures A-1 to A-6) are permitted to be taken on record.

CRM-34483-2019

Prayer in this application filed under Section 482 Cr.P.C. is for addition of Sections 302, 498-A IPC in the head-note as well as prayer clause of the main petition.

Application is allowed, as prayed for.

CRM-M-30181-2019

Petitioner who is mother-in-law of deceased-Jaspreet Kaur has filed the present petition under Section 439 Cr.P.C. for grant of regular bail during the pendency of trial in FIR No.82 dated 30.04.2018 under Section 304-B IPC (the offences punishable under Sections 302, 498-A IPC were added later on), registered at Police Station Rama Mandi, District Jalandhar.

Learned senior counsel appearing on behalf of the petitioner has argued that apart from the fact that the petitioner is mother-in-law of the deceased, whose marriage was solemnized with the son of the petitioner on 09.11.2014 and she is in custody since 30.10.2018. He further states that as against total 29 witnesses cited by the prosecution, only 02 witnesses have been examined and out of these, one of the prosecution witness has been partly cross-examined and the case is now fixed for 17.12.2019 for further cross-examination. He states that marriage of the deceased was solemnized in the year 2014 and out of this wedlock, there is a daughter. The husband of the deceased and her father-in-law are already in custody. He fairly states that the allegation against the petitioner is for taunting the deceased

for bringing less dowry and harassment on daily basis. There used to be altercation between the petitioner and the deceased which continued till last. He has further argued that the deceased was taken to the hospital by her in-laws family.

Learned counsel for the complainant has argued that the deceased was being harassed by the petitioner along with other co-accused for bringing insufficient dowry. She was harassed on daily basis and because of harassment, the deceased had died on 30.04.2018.

Learned State Counsel, on instructions from ASI Bhajan Ram, does not dispute the custody period of the petitioner. However, he states that the allegations against the petitioner are serious and therefore, the offence under Sections 302, 498-A IPC were added in the case.

Heard learned counsel for the parties.

The petitioner is in custody since 30.10.2018. She is mother-in-law of the deceased. Considering the nature of allegations including the demand of bullet motorcycle, coupled with the fact that the deceased was brought to the hospital by her in-laws and as against total 29 witnesses cited by the prosecution, only 02 witnesses have been examined in the case and even one of the witness so examined has partly been cross-examined and whose cross-examination is further deferred to 17.12.2019, in this manner, trial is not likely to be concluded in the near future. Therefore, this Court deems it appropriate to admit the petitioner on bail.

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

The observations made hereinabove shall not be construed as

an expression on the merits of the case and 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 influence the prosecution witnesses directly or indirectly and in the event of such influence, if any, the prosecution would be at liberty to seek cancellation of her bail.

November 25, 2019
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No