

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

CRM-M No. 48218 of 2019

Date of decision : November 19, 2019

Kanta Rani

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. P.S. Ahluwalia, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL J. (ORAL)

1. Petitioner-Kanta Rani, seeks grant of regular bail in a case registered vide FIR No.60, dated 20.04.2017, registered at Police Station Samana, District Patiala, under Sections 304-B/120 (subsequently, Section 304-B was replaced with Section 302 IPC and Section 498-A IPC was invoked additionally).
2. The FIR was lodged at the instance of Harpreet Singh wherein it has been alleged that his sister Jatinder Kaur was married to Surinder Pal in the year 2007 and his father had given dowry as per his means but his sister's husband as well as other members of his family i.e. his father and mother used to continuously harass her in order to press upon their demand of more dowry. It is alleged that when complainant's father retired in the year 2013 from BSNL, he had given an amount of ₹ 5 lacs to complainant's 'jija' (brother-in-law) and subsequently, after death of his father even the complainant had given an amount of ₹ 2 lac to his brother-in-law (sister's

husband) and had also purchased an Aactiva scooter for him apart from two mobiles. It is further stated therein that a gold bangle weighing three tolas was also given to his brother-in-law Surinder Pal but the accused kept on harassing her sister. On 19.4.2017, upon her sister having called them telephonically, the complainant and his wife went to his sister's house where they met Surinder Pal, husband of complainant's sister who hurled abuses at them. However, after reasoning out with his sister's in laws, they returned back home. On the next morning, they received a phone call at about 5 a.m. that Jatinder Kaur had set herself on fire. Upon receipt of said information, the complainant, his wife and parents immediately rushed to matrimonial home of his sister where they came to know that his sister had died and her dead body was lying in Civil Hospital.

3. Learned counsel for the petitioner has submitted that a false case has been planted upon the petitioner and that it is a case where deceased has died after 10 years of her marriage and that the petitioner, who is mother-in-law of the complainant has been roped in falsely.
4. Opposing the petition, learned State counsel has submitted that since specific allegations are levelled against the petitioner in the FIR, therefore, no case for grant of bail is made out. It has, however, been informed that petitioner has been behind bars since the last more than 2½ years and that till date only two out of the cited 26 prosecution witnesses has been examined and that cross-examination of one of the aforesaid two PWs is yet to be recorded.
5. I have considered rival submissions addressed before this Court.
6. Without commenting upon merits of the case and while keeping in view the

fact that petitioner is a lady and has been behind bars since more than 2½ years and the fact that the conclusion of the trial is likely to consume time as till date only two out of cited 26 PWs have been examined, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and petitioner-Kanta Rani is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.

November 19, 2019

sarita

Whether speaking / reasoned :

Whether Reportable:

Yes / No

Yes / No

**(GURVINDER SINGH GILL)
JUDGE**