

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

CRM-M-1408 of 2020.

Decided on:- January 20, 2020.

Sushila.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

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

Present:- Mr. Sunil Panwar, Advocate
 for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

HARI PAL VERMA, J. (Oral)

The petitioner, who is mother-in-law of deceased Vandana, has filed present petition under Section 439 Cr.P.C. seeking regular bail in FIR No.21 dated 01.02.2019 under Section 304-B read with Section 34 IPC (Section 498-A IPC added at the time of framing charges) registered at Police Station Farakpur, District Yamuna Nagar.

Learned counsel for the petitioner has argued that similar allegations were made against co-accused Ramesh (father-in-law of deceased) and during investigation, he was found innocent, whereas for the same set of allegations, the petitioner is in custody since 08.04.2019. Deceased Vandana had died because of hanging.

He further states that since father-in-law of the deceased was found innocent, now, after the examination of the complainant before the trial Court, the prosecution has moved an application under Section 319 Cr.PC so as to summon him as an additional accused, which would further delay the trial. Even otherwise, as against total 24 witnesses cited by the prosecution, only 2 witnesses have been examined so far.

Learned State counsel, on instructions from SI Surinder Kumar, does not dispute the custody of the petitioner. However, she submits that Vandana (since deceased) was married with Kavinder Rana on 22.02.2014 and there is a son born from this wedlock. Vandana had died on 01.02.2019 by hanging from the railing of stair-case.

I have heard learned counsel for the parties.

It is a conceded position that for the similar set of allegations, co-accused Ramesh (father-in-law) was found innocent during investigation, though now, the prosecution has moved an application under Section 319 Cr.PC so as to summon him as an additional accused. The deceased had died by hanging. No other injury on the person of the deceased has been brought to the notice of this Court. The petitioner is mother-in-law of the deceased and is in custody since 08.04.2019. The conclusion of trial is likely to take long time as only 2 witnesses have been examined in the case so far, though the prosecution has cited total 24 witnesses. There is a 4 years old son left by the deceased, who is to be taken care. Therefore, this Court finds that the petitioner deserves to be admitted on bail.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing adequate bail and surety bonds to the satisfaction of learned trial Court.

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 with these observations in any manner.

January 20, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No