

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

CRM M-3201 of 2020 (O&M)

Date of Decision: August 20, 2020

Parveen Adiya

.....Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Sunil Chadha, Sr. Advocate with
Ms. Swati Verma and Mr. Akshay Chadha,
Advocates for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

Mr. Vinay Kumar Mahajan, Advocate
for the complainant.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through
video-conferencing on account of outbreak of pandemic COVID-
19.

Petitioner Parveen Adiya has come up in this third
regular bail application moved under Section 439 Cr.P.C. in FIR
No. 219 dated 02.10.2017 registered under Sections 304-B and

120-B IPC (offence under Section 302 IPC added later on) at Police Station Division No.4, District Police Commissionerate, Ludhiana, the earlier ones having been dismissed on 08.03.2018 and 10.01.2019.

The allegations in brief that have come about are that complainant Vipin Kumar Dhir father of deceased Ritu Dhir lodged a complaint that the deceased was married to Gaurav Aadia son of the petitioner on 28.07.2017. It is claimed that huge amount of money was spent and valuables were given at the marriage. However, the accused were not happy with the same and often taunted and physically abused the deceased, which the latter shared with her family. It is claimed that on 1st October 2017, the deceased telephonically informed her parents about her physical abuse and the same very day had died.

Mr. Sunil Chadha, learned counsel for the petitioner has laid a multi-pronged attack on the prosecution story, especially, as to the cause of the death being suicidal and that the co-accused/non-applicant son of the petitioner Daksh Aadia had been admitted to anticipatory bail by the Apex Court vide order dated 22.10.2019 passed in **Criminal Appeal No. 1604 of 2019 (arising out of S.L.P. (Crl.) No. 7776 of 2018) titled as Daksh Aadia Vs. State of Punjab.**

On behalf of the complainant and State strong resistance has been offered by Mr. Vinay Kumar Mahazan, learned counsel for the complainant and Mr. N.K. Banka, DAG,

Punjab contending that the trial is underway and the petitioner if allowed bail, there is every likelihood that the same would be stifled. The counsel have argued that there are serious allegations hovering around the murder and, thus, charges under Section 302 IPC in the alternate have been framed to Section 304-B IPC and sought dismissal of the same.

Appreciating the submissions, admittedly, the petitioner father-in-law is aged around 67 years, thus, a senior citizen. The petitioner has undergone incarceration as is conceded to at the bar by the learned State counsel of 02 years 10 ½ months. In view of the prevalent COVID 19 pandemic situation and likelihood of the trial being protracted without commenting on the merits, this Court deems it fit to allow bail. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned

However, it is made clear that anything observed herein shall not be construed as an expression of opinion on the merits of the case.

Disposed off accordingly.

August 20, 2020

amit rana

(FATEH DEEP SINGH)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No