

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

**CRM M-3346 of 2020 (O&M)**

**Date of Decision: July 22, 2020**

|                  |        |                 |
|------------------|--------|-----------------|
| Sushila          |        | .....Petitioner |
|                  | Versus |                 |
| State of Haryana |        | .... Respondent |

**CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH**

Present : Mr. Rajat Mor, Advocate  
for the petitioner.

Mr. Baljinder Virk, DAG, Haryana.

**FATEH DEEP SINGH, J. (Oral)**

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

Petitioner Sushila mother-in-law of deceased who is in custody since 10.05.2018 in case bearing FIR No. 218 dated 28.04.2018 under Sections 304-B and 120-B IPC (Section 302 IPC was subsequently added) registered at Police Station City Bahadurgarh, District Jhajjar has sought this second regular bail application under Section 439 Cr.P.C.

The brief facts are that the marriage between the deceased and son of the petitioner, namely, Himanshu was solemnized five months prior to this occurrence which took place on 27.04.2018. On account of repeated quarrels between the couple the deceased had brought the matter to the notice of her parents. The allegations crystallize that on 27.04.2018, the husband while in an inebriated state assaulted the wife and, thereafter, the couple went to sleep and it was in the morning the deceased was found dead. The allegations against the petitioner are that even after hearing the skirmish she did not intervene.

Mr. S.S. Mor, counsel for the petitioner *inter alia* contends that only allegations against the petitioner are that she is mother-in-law and did not intervene in the fight and has sought to even debate the very cause of death to be on account of internal hemorrhage due to bursting of vein. It is further submitted that petitioner is in custody for more that 02 years and 02 months.

Learned State counsel Mr. Baljinder Virk, DAG, Haryana though does not displace the facts but has only opposed the grant of bail on the ground that the trial has since been completed and therefore no cause for bail is made out.

Be so as it may, the petitioner is under incarceration for more than 02 years and 02 months. The trial has not

proceeded further on account of present Pandemic COVID 19 situation. The present proceedings in the trial as per the stand of the learned counsel for the petitioner have been stalled and in the view of the allegations of the prosecution, the period of custody of the petitioner and the fact that the case is not likely to be concluded in near future, this Court deems it appropriate to grant the 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 on the merits of the case.

Disposed off.

**July 22, 2020**  
amit rana

**(FATEH DEEP SINGH)**  
**JUDGE**

Whether reasoned/speaking : Yes/No  
Whether reportable : Yes/No