

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

CRM M-18665 of 2020 (O&M)

Date of Decision: July 15, 2020

Kailash Sharma		Petitioner
	Versus	
The State of Haryana		 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Charanjit Singh Bakshi, 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 lockdown due to outbreak of pandemic COVID-19.

Mr. Baljinder Virk, DAG, Haryana puts in appearance on behalf of the State on his own.

Petitioner Kamlesh Sharma a senior citizen mother-in-law of deceased Priyanka has come up in this first anticipatory bail in case bearing FIR No. 95 dated 25.01.2020 under Section 304-B and 34 IPC registered at Police Station City Thanesar District Kurukshetra got registered by her father

Mahinder Pal complainant.

The brief allegations are that the marriage between the deceased and son of the petitioner, namely, Manish Kumar was solemnized on 03.03.2018 and sufficient dowry articles were given. It is alleged that the in-laws of the deceased were not happy with the dowry and on account of which a matrimonial dispute has ensued between the couple and it is as a consequence of this dispute on 25.01.2020, the deceased committed suicide by means of hanging.

Mr. Charanjit Singh Bakshi, learned counsel for the petitioner *inter alia* contends that petitioner is a senior citizen aged lady and no specific role is attributed to her in the commission of offence and it is purely the own doing of the deceased who has committed suicide and has sought to debate the very applicability of offence under Section 304-B IPC.

Learned State counsel Mr. Baljinder Virk, DAG, Haryana though does not dispute the facts but has opposed the bail on the grounds of seriousness of allegations and heinousness of offence. Be so as it may, a bare perusal of the allegations clearly spell out that there is no specific role attributed to the petitioner in the commission of the offence. The petitioner is an aged lady, a senior citizen and in view of such a state of affairs, it is a fit case to allow the bail. Accordingly, the petitioner is directed to appear before the investigating officer

within a period of one month from the date of receipt of certified copy of this order and on his doing so, she shall be released on bail to the satisfaction of the arresting/investing officer till submission of report under Section 173 Cr.P.C. (challan). The petitioner shall continue to join investigation and shall furnish an undertaking that she shall abide by the conditions specified under Section 438(2) Cr.P.C. Thereafter, she will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off, accordingly.

July 15, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

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