

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

CRM-M-19362 of 2020.
Decided on:- July 30, 2020.

Bimla.

.....Petitioner.

Versus

State of Haryana.

.....Respondent.

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

Present:- Mr. Alok Mittal, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

This is the second petition filed by the petitioner under Section 439 Cr.P.C. seeking regular bail in FIR No.144 dated 28.06.2019 under Sections 498-A, 304-B and 120-B IPC registered at Police Station Sadar Narnaul, District Mahendergarh.

The earlier petition i.e. ***CRM-M-6696 of 2020*** filed by petitioner for the same relief was disposed of vide order dated February 19, 2020 passed by this Court in connected petition i.e. ***CRM-M-6675 of 2020*** titled as ***Kamaljeet Versus State of Haryana*** and the case was remanded back to the trial Court to pass a fresh order by giving another opportunity of hearing to the counsel for the parties. Thereafter, vide order dated 03.03.2020, learned Additional Sessions Judge, Narnaul has dismissed the application for regular

bail of the petitioner and it is in these circumstances, the petitioner has filed the present petition.

Learned counsel for the petitioner has argued that the Challan in the case was presented on 28.10.2019. As per the investigation conducted by the police in the case, no evidence was found against the petitioner as well as other co-accused Rohtash son of Ramswarup, Sanju wife of Ramkishan and Dinesh Kumar son of Shlokchand.

He has further submitted that the supplementary Challan in the case was presented on 20.01.2020 and except a recital in the supplementary Challan that some credible evidence has come against the petitioner, no other details have been given. The petitioner is in custody since 04.01.2020 and the trial is not likely to be concluded in near future.

Learned State counsel does not dispute the custody of the petitioner, however, submits that the petitioner is mother-in-law of deceased Pooja. The marriage of deceased Pooja was solemnised with Kamaljeet son of the petitioner on 10.02.2019 and she died on 27.06.2019 i.e. within 4½ months of the marriage.

I have heard learned counsel for the parties.

It is a conceded fact that the Challan was presented in the case on 28.10.2019 and during the investigation, no evidence was found against the petitioner as well as other co-accused Rohtash son of Ramswarup, Sanju wife of Ramkishan and Dinesh Kumar son of Shlokchand. It is only in the supplementary Challan dated 20.01.2020, there is a simple recital that some credible evidence has come against the petitioner and except this, no other material has been brought to the notice of this Court so as to form an opinion

that some allegations or evidence was found against the petitioner during the investigation. The petitioner is in custody since 04.01.2020 and the conclusion of trial is likely to take a long time. Therefore, this Court finds that no useful purpose would be served by detaining the petitioner in further custody.

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/Duty Magistrate.

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.

July 30, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No