

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

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CRM-M-20238-2020

Date of Decision: 10.08.2020.

Smt. Preeto Devi

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Rakesh Bakshi, Advocate for the petitioner.

Mr. G.S. Dhillon, Assistant Advocate General, Haryana.

Suvir Sehgal, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Present petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.53 dated 13.02.2020 under Sections 304-B, 34 IPC, registered at Police Station Sadar, Yamuna Nagar.

Counsel for the petitioner submits that the petitioner, who is 60 years old, is the mother-in-law of the deceased, Komal. He argues that perusal of the FIR shows that there are no specific allegations against the petitioner. He submits that both her husband, namely, Amar Singh and son Ashok Kumar were granted default bail by the trial Court under Section 167(2) Cr.P.C. on 19.05.2020 but her husband unfortunately expired on 29.05.2020. Counsel states that the petitioner is behind bars since 20.03.2020. She was granted interim bail for 15 days to attend the last rites of her husband and she did not misuse the concession of bail.

On the other hand, State counsel on instructions from ASI Bhoop Singh, has opposed the petition on the ground that a dowry death had taken place within a period of one year from the marriage of the deceased. Allegations of demand of dowry have been levelled against the husband and in-laws. Challan in this case was filed on 20.05.2020 and the charges are yet to be framed.

I have considered the rival submissions of the parties.

Keeping in view the period for incarceration and the fact that the husband of the petitioner has died and she is in custody for last 05 months and the trial of the case will take some time, further detention of the petitioner will not serve any useful purpose. Without commenting anything on the merits of the case, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing adequate bail bonds and surety bonds to the satisfaction of concerned learned trial Court.

It is clarified that any observation made hereinabove shall not be construed as an expression on the merits of the case.

(SUVIR SEHGAL)
JUDGE

10.08.2020

komal

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No