

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

CRM-M-22387-2020 (O&M)

Date of Decision: 15.10.2020

Chambi Devi & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Arihant Jain, Advocate for the petitioner.

Mr. A.S. Sandhu, Additional Advocate General, Punjab.

....

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioners seek benefit of regular bail pending trial in case FIR No.43, dated 19.05.2020, under Sections 304-B/34 IPC, registered at Police Station Julkan, District Patiala.

Counsel for the parties have been heard at length.

FIR came to be registered on the statement of Vijay Kumar. Deceased is the sister of the complainant, namely, Pinki Rani. As per complainant's version, Pinki Rani was married in the year 2017 with Charanjit Singh. Pinki Rani is stated to have died on 19.05.2020 and the cause of death is 'asphyxia' on account of hanging. It was an unnatural death in her matrimonial home.

Petitioners herein are two ladies i.e. mother-in-law and grand mother-in-law of the deceased.

Counsel for the petitioners has argued that even as per version of the complainant, his sister had been harassed and abused primarily by her husband i.e. Charanjit Singh on account of demand of dowry as also for not having borne any child. The allegations against other members of the in-laws are vague and not specific in nature.

Petitioners were arrested on 19.05.2020.

Investigation having been completed, challan has already been presented.

Trial is at the very initial stage and would take time to conclude particularly keeping in view the current Covid-19 situation.

Learned State counsel upon instructions from ASI Lakhvir Singh has very fairly brought to the notice of this Court that deceased Pinki Rani was staying with her husband, Charanjit Singh in a separate residence and it was not a joint household with the other members of the in-laws.

Petitioner No.1 is stated to be 78 years and petitioner No.2 is 50 years of age.

It is not the case made out on behalf of the State that the benefit of bail if granted to the petitioners, they would be in a position to hamper the course of a free and fair trial.

In view of the submissions advanced by counsel for the petitioners and without opining on the merits of the case, petitioners are held entitled to the benefit of bail.

Petition is allowed. Petitioners be enlarged on bail subject to their furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

It is further clarified that the observations made in this order are confined only as regards considering the prayer of the petitioners for grant of bail and would have no bearing on the merits of the trial.

Disposed of.

15.10.2020
harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |