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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24219-2020

Date of decision: 16.09.2020

Saroj

.....Petitioner

V/s.

State of Haryana

.....Respondent

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

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

Ms. Mahima Yashpal, Deputy Advocate General, Haryana.

Sanjay Kumar, J.

The petitioner is one of the accused in FIR No. 151 dated 13.05.2020 on the file of Police Station Urban Estate, Rohtak, District Rohtak, registered under Sections 304-B, 498-A, 406 and 34 IPC. By way of this petition filed under Section 439 Cr.P.C, she seeks grant of regular bail.

The petitioner is the mother-in-law of the deceased, who committed suicide by consuming poison on the night of 12.05.2020. The petitioner was arrested on 23.05.2020.

The Deputy Superintendent of Police, Rohtak, filed a reply. Therein, he stated that the complainant, the father of the deceased, had specifically named the petitioner as one of the persons who harassed his deceased daughter.

However, it is seen from the reply that the challan has already

been filed before the learned Illaqa Magistrate, Rohtak. Further, no specific overt acts have been attributed to the petitioner either in the FIR or in the reply filed before this Court.

It is no doubt true that the deceased met with her death shortly after her marriage, inasmuch as she got married to the son of the petitioner on 20.03.2017 and died a mere three years thereafter, on 13.05.2020. The case would therefore have to be examined in the light of Section 304-B IPC. However, at this stage, there are no grounds to continue with the incarceration of the petitioner. She would be entitled to the benefit of regular bail pending the trial of the case and judicial determination of the guilt of the named accused.

The petition is accordingly allowed directing the release of the petitioner on regular bail in FIR No. 151 dated 13.05.2020 on the file of Police Station Urban Estate, Rohtak, District Rohtak, upon her furnishing a personal bond for a sum of ₹ 50,000/- along with one surety for a like sum to the satisfaction of the Illaqa/Duty Magistrate concerned. Further, the petitioner shall not cause any inducement, threat or promise to any person connected with the case.

(SANJAY KUMAR)
JUDGE

16.09.2020

rakesh

whether speaking/non speaking

:

Yes/no

whether reportable/non reportable

:

Yes/no