

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

**CRM-M- 27745-2020 (O&M)**

Date of Decision: September 21, 2020

Harvail Kaur

... Petitioner

Versus

State of Haryana

... Respondent

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Ashit Malik, Advocate  
for the petitioner.

Ms. Deepshikha Chauhan, AAG, Haryana.

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**JAISHREE THAKUR, J. (Oral)**

This is the second petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 351 dated 05.09.2019, under Sections 306, 304-B, 498-A, 120-B, 34 Indian Penal Code and Section 4 of the Dowry Prohibition Act, registered at Police Station Ladwa, District Kurukshetra.

Learned counsel for the petitioner very fairly submits that he had earlier filed the bail petition bearing No. CRM-M-53075-2019 but the same was dismissed as withdrawn through an application bearing No. CRM-8819-2020 on 17.03.2020.

Learned counsel for the petitioner at the present moment would contend that the complainant, who is the sister of the deceased, has

suffered an affidavit wherein she has stated that she would have no objection in case the father-in-law and mother-in-law i.e. Harvail Kaur, the petitioner herein, are released on bail under the FIR lodged by her. Learned counsel for the petitioner further contends that the petitioner herein was taken into custody in the aforesaid FIR on 05.09.2019. Challan has been presented and the conclusion of trial will take sufficient time, therefore, the petitioner is entitled to be enlarged on bail.

An appearance has been caused through the medium of video conferencing by Mr. Saurabh Kapoor, Advocate on behalf of the complainant. He states to have filed his power of attorney with the Registry. He supports the averments made in the affidavit made by the complainant.

Registry is directed to tag his vakalatnama with the file.

Per contra, learned counsel appearing on behalf of respondent-State opposes the grant of regular bail to the petitioner, while submitting that the FIR came to be lodged on the grievance of the complainant herself that her sister was being harassed at the hands of her in-laws on account of demanding inadequate dowry which resulted with her committing suicide in the matrimonial home. However, she does not dispute the fact that the challan is presented and the charges have already been framed on 06.02.2020.

I have heard learned counsel for the parties.

In view of the restricted working of the Courts due to pandemic COVID-19 situation, the trial is likely to take some time. In view of the facts that the petitioner herein has been in custody since 05.09.2019

and that the investigation is complete and the charges have already been framed and the complainant herself has suffered an affidavit that she would have no objection in case the bail is granted to the petitioner in the said FIR, no useful purpose would be served in keeping the petitioner behind bars any longer. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on regular bail on her execution of adequate personal and surety bonds to the satisfaction of concerned trial Court/Duty Magistrate.

September 21, 2020  
*seema*

(JAISHREE THAKUR)  
JUDGE

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |