

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

214

CRM-M No.28442 of 2020 (O&M)  
Date of Decision: September 23<sup>rd</sup>, 2020

Chandro

...Petitioner

Versus

State of Haryana

...Respondent

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI**

Present: Mr. Simranjeet Singh, Advocate  
for the petitioner.

Ms. Tanisha Peshawaria, Deputy Advocate General, Haryana.

**(PROCEEDINGS THROUGH V.C.)**

**AUGUSTINE GEORGE MASI, J. (ORAL)**

Petitioner has approached this Court for grant of regular bail in FIR No.214 dated 29.04.2020 registered under Sections 304, 34 IPC at Police Station City, Fatehabad.

It is the contention of learned counsel for the petitioner that the allegation against the petitioner, who is the mother-in-law of the deceased, relates to demand of dowry. It is asserted that the allegations are primarily against the son of the petitioner, who is alleged to have taken liquor and given beating to the daughter of the complainant namely Kiran, who was wife of Parmod. According to the FIR, son of the petitioner entered the house of the complainant by jumping over the wall in a drunkard condition leading to a quarrel with the complainant and his family. He used filthy language as well. The only allegation against the petitioner is that there is demand of dowry on her part. Petitioner, therefore, has been roped in the matter. Concession of bail be granted to the petitioner as none of the witnesses has been examined and the trial is not likely to proceed in near future.

On the other hand, learned counsel for the State, has opposed the bail

petition on the plea that petitioner, the mother-in-law, had also contributed to the fact of Kiran having to undergo the ordeal. Death of the daughter-in-law is unnatural and that too within a period of six months from the date of marriage. The responsibility also has to be taken by the petitioner being the elder of the family. The petitioner, therefore, be not granted the concession of bail.

Having considered the submissions made by the counsel for the parties and keeping in view the allegations in the FIR, the primary accused appears to be the son of the petitioner Parmod. He is the person, who had not only entered the house by scaling the wall but that too after taking liquor and giving beating to his wife and harassing her. The subsequent conduct also relates to the son of the petitioner, with the allegations of the demand of dowry only alleged at the hands of the petitioner. The role, therefore, of the petitioner cannot be said to be major one. According to the counsel for the State, challan has been presented but till date neither charge has been framed nor has any witness been examined out of the total 15 prosecution witnesses cited. The trial is not likely to conclude in near future because of the prevailing pandemic. The Courts are working under the restrictive mode and, therefore, the continuation of the petitioner in custody would not serve any purpose.

In the light of the above and keeping in view the order dated 26.08.2020 passed by this Court in *CRM-M No.23742 of 2020* titled as *Subhash Versus State of Haryana* relating to the husband of the petitioner, where the role of the petitioner as well as her husband Subhash was identical, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Fatehabad.

Any observations made hereinabove are for the purpose of disposal of the present petition alone and shall have no bearing on the merit of the case during the trial in any manner.

September 23<sup>rd</sup>, 2020  
Puneet

(AUGUSTINE GEORGE MASIH)  
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No