

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

**CRM-M No.33551 of 2019
Date of Decision.04.02.2020**

Kaushalya

...Petitioner

Vs

State of Haryana

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Jai Vir Yadav, Advocate
for the petitioner.

Ms. Mahima Yashpal, AAG, Haryana.

Mr. Pawan Singh, Advocate
for the complainant.

-.-

JAISHREE THAKUR J. (ORAL)

1. This is a petition that has been filed for grant of anticipatory bail in case FIR No.0198 dated 15.07.2019 under Sections 304-B, 34 IPC registered at Police Station Furrukh Nagar, District Gurugram to the petitioner, who is mother-in-law of the deceased-Sharmila.

2. Learned counsel for the petitioner while arguing that the allegations in the FIR are not sustainable, would also rely upon the fact that her husband Fateh had been found innocent during investigation and her son Jagmohan is facing trial. He had been arrested and thereafter allowed regular bail by the Additional Sessions Judge, Gurugram by taking note of the fact that the prosecution witnesses namely Abhey-complainant and brothers of the deceased had not supported the case as set up by the prosecution.

3. Learned counsel appearing on behalf of the respondent-State is

not in a position to dispute this factual statement, that has been made. Same is the case with the counsel appearing on behalf of the complainant.

4. I have heard learned counsel for the parties.

5. In view of the fact that prosecution witnesses, who are independent and material witnesses, have not supported case of the prosecution, this Court is inclined to allow the anticipatory bail to the petitioner. The instant petition is allowed and the petitioner be released on bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so by the Investigating Officer and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

(JAISHREE THAKUR)
JUDGE

February 04, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No