

CRM-M-33826-2019

Date of decision: 15.10.2020

Parkasho Devi

.....Petitioner

versus

State of U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**Present:** Mr. Harparteek Singh Sandhu, Advocate
for the petitioner.**FATEH DEEP SINGH, J. (ORAL)**

Due to outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

Notice of motion to the respondent-State.

Mr. Rajeev Anand, Addl.P.P., U.T. Chandigarh puts in appearance and accepts notice on behalf of the respondent-State.

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The petitioner-Parkasho Devi who is an accused in a case bearing FIR No.348 dated 30.09.2018 under Sections 304-B and 34 of the Indian Penal Code (Sections 302 and 120-B IPC added later on) registered at Police Station Sector 36, Chandigarh has come up in this first regular bail application under Section 439 Cr.P.C.

The present case was got registered by Bablu, brother of deceased-Manjeet @ Manju. The complainant in brief, alleged, that his sister was married on 16.11.2011 to Vijay Kumar. It is alleged that all the accused including the present petitioner, close relations of the husband, used to harass his sister on demand of dowry and had been demanding a motorcycle/car from her on many occasions. When the accused made the life of the deceased miserable she was forced to commit suicide by hanging.

Learned counsel for the petitioner *inter alia* contends that the petitioner is an aged mother-in-law who is behind the bars for more than 02 years 04 months and that there are no specific allegations against her in commission of crime and the allegations against her are general in nature.

The learned State counsel does not displace the facts but has strongly opposed the grant of bail on the grounds that a young life has been sacrificed at the altar of dowry and in view of the heinousness of the offence, disentitles her any relief.

Appreciating the submissions, keeping in view the period of incarceration of the petitioner, there being no specific role attributed to her in the commission of offence and the fact that she is a senior citizen, are strong circumstances together with the prevalent pandemic situation, impels this Court to allow the present petition.

Accordingly, the petitioner is ordered to be released on

regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands disposed off accordingly.

15.10.2020
Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No