

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

**CRM-M-3944-2021 (O&M)
Date of decision:23.04.2021**

Raj Rani

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vinod Ghai, Senior Advocate with
Ms. Kanika Ahuja, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

Mr. Ranjit Saini, Advocate for
Mr. Balbir Kumar Saini, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

CRM-11962-2021

This is an application under Section 482 Cr.P.C. to add
Section 302 IPC in the array of offences as mentioned in the head note as
well as prayer clause of the main petition.

Notice of the application.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana, assisted by
learned counsel for the complainant, submits that he has no objection if the
present application is allowed.

For the reasons mentioned in the application, the same is
allowed. Registry is directed to make necessary correction in the head note
as well as prayer clause of the main petition.

CRM-M-3944-2021

Status report by way of an affidavit dated 26.03.2021 of

Deputy Superintendent of Police, Yamunanagar along with Annexures R-1 and R-2, filed in the Registry, is taken on record.

This is a petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.195 dated 01.09.2020 registered under Sections 302, 304-B and 34 IPC (Section 406 IPC added later on) at Police Station Chappar, District Yamunanagar.

Learned senior counsel appearing for the petitioner contends that the marriage of deceased-Neha Verma, sister of the complainant, was solemnized with Amit Verma on 24.11.2017 and that there was no issue from the said wedlock. He further submits that the deceased was diagnosed with 'right ovarian cyst likely dermoid cyst', for which she had been getting regular treatment from various hospitals and later, she was referred to PGI. On 18.07.2019, her right ovary was removed with her consent at Vardman Hospital, Ambala. The removal of her ovary, has led the deceased to the distress and it was because of this reason, she had committed suicide.

Learned Senior counsel further states that the petitioner is 62 years old and suffering from severe backache problem. The petitioner has been in custody since 01.09.2020. It is further stated that husband of the petitioner has already been granted regular bail by this Court vide order dated 19.01.2021 (Annexure P-7).

On the other hand, learned State counsel, assisted by learned counsel for the complainant, has not disputed the custody period of the petitioner and the fact that husband of the petitioner has already been granted regular bail by this Court. It is further stated that the challan has been presented but the petitioner cannot claim herself to be innocent. The

doctor found a large dermoid in the person of the deceased.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 01.09.2020. Challan has been presented. The petitioner is the mother-in-law of the deceased. She is 62 years old and suffering from backache problem. The trial will take time to conclude due to Covid-19 pandemic situation and no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

23.04.2021
ishwar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No