

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

220

CRM-M-7578-2021

Date of Decision: 15.12.2021

Ram Ratti

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Ms. Tanushree Gupta, DAG, Haryana.

Manjari Nehru Kaul, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, in case FIR No.215 dated 02.07.2020 under Sections 304-B and 34 IPC, registered at Police Station Taraori, District Karnal.

Learned counsel for the petitioner inter alia contends that the petitioner, who is a 60 years old lady, has been falsely implicated in the case in hand for allegedly subjecting her deceased daughter-in-law to mental and physical harassment. He further submits that other family members who too had been attributed similar role were kept in column No.2 by the investigating agency and subsequently, when an application under Section 319 Cr.P.C. was moved qua i.e. Pooja, Ritu, Ram Chander, Dinesh, Dhan Singh, to summon them to face trial as additional accused, it was dismissed by the trial Court concerned. He further submits that since the evidence of three material witnesses including the complainant stands recorded, her

further incarceration would not serve any useful purpose more so as 16 prosecution witnesses remain to be examined.

Per contra, learned State counsel, while opposing the prayer made by the counsel opposite, does not dispute the factum of the other family members too having been levelled similar allegations in the FIR in question and an application filed under Section 319 Cr.P.C. to summon all of them as additional accused having been dismissed by the trial Court concerned. She, on instructions from ASI Sultan Singh, further submits that the next date before the trial Court is 06.01.2022 when some more prosecution witnesses are likely to be examined.

I have heard learned counsel for the parties and perused the material on record.

In the facts and circumstances as enumerated hereinabove and keeping in view the fact that the petitioner who is a 60 years old lady has been in custody since 05.08.2020, the instant petition is allowed. The petitioner is ordered to be released on bail to the satisfaction of the trial Court/Duty Magistrate concerned.

However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

15.12.2021

D.Bansal

Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No