

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-30554-2021
Date of decision:03.12.2021

Kamlesh

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.390 dated 12.12.2020 lodged under Sections 304-B/34 IPC (Section 498-A IPC added later on) registered at Police Station Israna District Panipat.

At the outset, learned counsel for the petitioner submits that the false implication of the petitioner, who is mother-in-law of the deceased, finds credence from the fact that all the material witnesses including the complainant while stepping into the witness box, failed to support the prosecution case, as a result of which, they were all declared hostile. In support of his submission, he has placed on record the copies of depositions of PW-1 to PW-5 in Court today, which are taken on record. A prayer, therefore, has been made to extend the concession of bail to the petitioner, who is a 53 years old lady and has been in custody since 31.12.2020, as her further incarceration would not serve any useful purpose.

Per contra, learned State counsel while opposing the prayer made by counsel opposite on instructions from SI Jai Ram does not dispute the submissions made by the counsel for the petitioner qua all the material witnesses including the complainant having turned hostile during trial.

Heard learned counsel and perused the material available on record.

In the facts and circumstances of the case as enumerated hereinabove, the present petition is allowed. The petitioner be admitted to 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.

03.12.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No