

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

CRM-M-32966-2021 (O&M)

Date of decision : 19.08.2021

Sunita

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr. Vivek Goyal, Advocate
for the petitioner.

Mr. Manish Bansal, DAG, Haryana.

Mr. Parveen Kumar Rohilla, Advocate
for the complainant.

RAJESH BHARDWAJ, J. (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The present petition is filed under Section 439 Cr.P.C. seeking grant of regular bail in case FIR No.239 dated 25.04.2021, under Section 306 IPC registered at Police Station Shahabad, District Kurukshetra.

It has been contended by the counsel for the petitioner that the petitioner before this Court is the mother-in-law of the deceased and she has been falsely implicated in the FIR and no offence under Section 306 IPC is made out as there cannot be gathered any instigation in view of Section 107 IPC. Learned counsel for the petitioner submits that the FIR in question was lodged by the father of deceased-Manju Devi namely, Om Parkash wherein he submits that the marriage of the deceased took place with the

son of the petitioner 9 years before the occurrence in question. He vehemently contends that the allegations in the FIR are totally general in nature and no specific role has been attributed to the petitioner. He has further contended that though the FIR was against 05 accused, however, challan has been presented against the petitioner and her son. Thus, he prays that the petitioner is behind bars since 9th June, 2021 and is entitled to be enlarged on bail.

Mr. Parveen Kumar Rohilla, Advocate for the complainant has opposed the contentions raised by counsel for the petitioner and submitted that the petitioner does not deserve the concession of bail.

Learned State counsel submits that the investigation in this case is complete and the challan already stands presented.

In the overall facts and circumstances of the case and keeping in view the custody period undergone by the petitioner, the Court finds that learned counsel for the petitioner has succeeded in making out a case for bail to the petitioner. The present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

19.08.2021
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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