

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

106+223

(Through Video Conferencing)

CRM-M-36967-2021 (O&M)

Date of decision: 17.09.2021

Rekha

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab
for the respondent-State.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-29936-2021

Prayer in this application is for placing on record amended/supplementary petition along with Annexure P-6 and exemption from filing certified/true typed copy of Annexure P-6.

For the reasons mentioned in the application, the same is allowed and amended/supplementary petition along with Annexure P-6 is taken on record and exemption is granted from filing certified/true typed copy of Annexure P-6.

CRM-M-36967-2021

This is the second petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.105 dated 02.07.2020 lodged under Sections

304-B and 34 of the Indian Penal Code, 1860 registered at Police Station Division No.1, Pathankot (charge framed under Section 302 of the Indian Penal Code, 1860).

Learned counsel for the petitioner submits that the petitioner is the married sister-in-law of the deceased and had been living in her matrimonial home. He submits that she had no concern with the married life of her brother and the deceased. It has been submitted that a perusal of the FIR reveals that vague allegations have been levelled against the entire in-laws family of the deceased by the complainant that they would harass her for insufficient dowry. Learned counsel for the petitioner further submits that it is very evident for reasons but obvious the complainant has chosen to assign some role or the other to each and every member of the in-laws family of the deceased. He further submits that charges stand framed but the prosecution evidence has not yet commenced and she is a lady who has been in custody since 02.07.2020.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Nirmaljeet Singh, has submitted that there are allegations in the FIR that the petitioner had also been harassing the deceased.

Heard.

In view of the submissions made by learned counsel for the petitioner and the fact that the petitioner, who is a lady, has been in custody since 02.07.2020, the trial is unlikely to conclude in the near future, the present petition is allowed and the petitioner is 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.

17.09.2021

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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