

SHEELA DEVI

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Vikasdeep Singh, Advocate for the petitioner.
Mr. Hittan Nehra, Addl. A.G. Punjab.

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VIVEK PURI, J. (ORAL)

Custody certificate has been taken on record.

The petitioner is seeking regular bail in case bearing FIR No.250 dated 09.09.2021 under Sections 306/34 IPC, registered at Police Station Sultanpur Lodhi, District Kapurthala.

Briefly, the FIR has been registered on the basis of the statement of the mother of the deceased alleging that the marriage of the deceased was solemnized with Sunny about 1¼ years prior to the occurrence. The petitioner is the mother-in-law who along with her son i.e. husband of the deceased; Kaka, the brother-in-law and Rekha, the sister-in-law of the deceased had been troubling her. The deceased had committed suicide on 08.09.2021 by hanging.

Learned counsel for the petitioner contends that the charge has been framed under Section 306 read with Section 34 IPC. Vikas, the other son of the petitioner has been found innocent during the course of investigation. Rekha, the daughter of the petitioner had been granted pre-arrest bail by the Court of Sessions. Vague allegations have been levelled in the FIR. There is no specific instance of any maltreatment reflected in the

FIR. The petitioner is in custody for a period of 10 months and 11 days and is not involved in any other case.

Learned State counsel has resisted the bail application on the score that the death has occurred within a period of 1¼ years of the marriage and there are specific allegations against the petitioner.

Be that as it may, there is no allegation with regard to maltreatment on account of demand of dowry as putforth in the FIR. The charge has been framed under Section 306 read with Section 34 IPC. The petitioner is the mother-in-law of the deceased. No specific allegations have been levelled in the FIR. The petitioner is in custody for a period of 10 months and 11 days. The investigation of the case is complete, the challan has been presented in the Court and the conclusion of trial is likely to take some time and no fruitful purpose would be served by detaining the petitioner in further custody.

As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

The petition is allowed.

25.07.2022

Janki

(VIVEK PURI)
JUDGE

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