

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

CRM-M-7835-2022
Decided on : 21.10.2022

Rajni Meera @ Rajni

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. J.S.Sandhu, Advocate
 for the petitioner.

Mr. Teevar Sharma, AAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

This is the second petition filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.34 dated 21.03.2020 under Sections 304-B, 120-B IPC registered at Police Station Bhadson, District Patiala.

Learned counsel for the petitioner inter alia contends that a false case has been planted upon her by the father of the deceased. While inviting the attention of this Court to the allegations levelled in the FIR (Annexure P-1), learned counsel submits that vague allegations have been levelled against the petitioner, who admittedly is the married sister-in-law of the deceased, of subjecting the deceased to mental harassment on account of dowry demand. Learned counsel further submits that it is not even the case of the complainant that the petitioner was residing in the matrimonial home of the deceased much less in the same vicinity. Learned counsel submits

that in fact the petitioner was residing at a distant place and in a different district and hence, no question arose of the petitioner subjecting the deceased to the alleged harassment. Learned counsel still further submits that it was on account of passions running high after the suicide of the deceased, the complainant had dragged all the near relatives of the in-laws family of his deceased daughter by levelling false allegations. It is also submitted that the petitioner has now been in custody for almost 2 years 7 months, having been arrested on 23.03.2020, and there is no likelihood of the trial concluding in the near future as none of the 19 prosecution witnesses cited have been examined till now and that too because the prosecution witnesses have not been appearing before the trial Court.

Per contra learned State counsel while opposing the prayer and submissions made by counsel opposite on instructions from ASI Parvinder Singh submits that the petitioner was specifically named in the FIR in question and had been subjecting the deceased to mental harassment for which she does not deserve the concession of bail. He has, however, not been able to controvert that the trial has not been able to make any headway as the prosecution witnesses despite having been summoned, have not been putting appearance before the trial Court for getting their evidence recorded.

Heard learned counsel for the parties and perused the relevant material on record.

The petitioner is a lady, who has now been in custody since 23.03.2020 and as per instructions received by the State counsel trial has not been proceeding on account of non-appearance of the prosecution witnesses before the trial Court. In the circumstances, this Court, deems it fit to

extend the concession of bail to the petitioner as the trial will take considerable time to conclude. Accordingly, the present petition is allowed. The petitioner be admitted to bail to the satisfaction to 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.

21.10.2022
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(MANJARI NEHRU KAUL)
JUDGE

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