

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

(231)

CRM-M-16583-2020

Date of Decision: 28.01.2022

Indro

--Petitioner

Versus

State of Haryana

--Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BHARDWAJ.

Present:- Mr. Pankaj Bali, Advocate for the petitioner.

Mr. B.S. Virk, D.A.G., Haryana.

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 has been filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case FIR No.44 dated 13.2.2020 under sections 304-B, 34 I.P.C, registered at Police Station, Israna, Panipat.

Learned counsel for the petitioner vehemently contends that the deceased Monika died within 3 years of her marriage and the petitioner being her mother-in-law has been falsely implicated in the present FIR. Counsel submits that petitioner is an old lady aged about 65 years. Counsel has drawn attention of this Court to the interim bail granted to the petitioner by this Court vide order dated 10.7.2020. Counsel submits that since then petitioner is on interim bail and has never misused this concession. It is submitted that petitioner has been falsely implicated in the present FIR and no case is made out against her. Counsel submits that there are two accused

in the present FIR i.e. petitioner and her son Anand.

On the other hand, learned State counsel submits that the allegations levelled in the FIR are serious in nature and deceased Monika died within 3 years of her marriage. However, he candidly submits that petitioner has been released on interim bail since 10.7.2020 and there is nothing on record to show that she has misused the concession of interim bail. State counsel further submits that in the present case only 1 prosecution witness has been examined so far.

I have heard learned counsel for the parties at length and have gone through the records carefully.

It is apparent from the record that petitioner is on interim bail since 10.7.2020. There is nothing on record to show that she has ever misused the concession of interim bail. The trial would take sufficient time to conclude as only 1 prosecution witness has been examined so far..

In the totality of circumstances and without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail on her furnishing fresh bail/surety bonds subject to satisfaction of Trial Court/Duty Magistrate, concerned. Nothing stated herein shall be treated as an expression on the merits of the case.

(RAJESH BHARDWAJ)
JUDGE

28.01.2022

lucky

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