

**240 IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH  
(through video conferencing)**

CRM-M-37593-2021  
Date of decision:19.01.2022

Rajbala ..... Petitioner

Versus

State of Haryana ..... Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Sanjay Vashisth, Advocate  
for the petitioner.

Mr. Karan Sharma, DAG, Haryana.

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**MANJARI NEHRU KAUL, J. (ORAL)**

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.56 dated 04.05.2021 lodged under Sections 304-B, 354, 498-A and 34 IPC (Section 406 IPC added later on) registered at Police Station Bond Kalan District Charkhi Dadri.

Learned counsel for the petitioner *inter alia* contends that totally vague and false allegations have been levelled against the petitioner, who is mother-in-law of the deceased, in the FIR in question. While inviting the attention of this Court to the FIR in question, he submits that an unbelievable version had been brought forth therein that the father-in-law of the deceased was keeping an evil eye on her and when she apprised the petitioner about the same, instead of coming to her rescue, she had supported her husband in his evil designs. He further submits that after 20 days of the registration of the FIR, in her supplementary statement recorded under Section 161 Cr.PC, the complainant had improved the initial version

and come up with specific allegations qua the dowry demands made by each of the accused including the petitioner. He still further submits that the petitioner, who is a lady, has been in custody since 24.05.2021 and only two out of 21 prosecution witnesses cited have been examined so far. It has also been submitted that there is no likelihood of the trial concluding in the near future as the complainant has been avoiding putting in an appearance for getting her evidence recorded before the trial Court on the previous two dates of hearing before the trial Court. Hence, a prayer has been made to extend the concession of bail to the petitioner, as her further incarceration would not serve any useful purpose.

Per contra, learned State counsel while opposing the prayer made by counsel opposite on instructions from SI Jaibir has submitted that there were allegations against the petitioner and her family members of subjecting the deceased to mental and physical harassment for not getting dowry as per their expectations. He further submits that the delay in the trial has been on account of the ongoing pandemic and the next date of hearing fixed before the trial Court is 21.01.2022 when some more prosecution witnesses would likely be examined.

Heard learned counsel and perused the material available on record.

In the facts and circumstances, more so, when the petitioner, who is a lady, has been in custody for nine months and is not involved in any other case coupled with the fact that there is no likelihood of the trial concluding in the near future, as 19 prosecution witnesses remain to be examined, I deem it a fit case to extend the concession of bail to the petitioner. The present petition is allowed. The petitioner be 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.

19.01.2022  
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(MANJARI NEHRU KAUL)  
JUDGE

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