

CRM-M-4797-2023
Date of decision: 06.02.2023

SANTOSH ..PETITIONER

VERSUS

STATE OF HARYANA ..RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Manoj Tanwar, Advocate for the petitioner.

Mr. Ranvir Singh Arya, Addl. AG, Haryana.

VIVEK PURI,J. (ORAL)

Custody certificate of the petitioner has been circulated today and the same is taken on record.

Santosh-petitioner is seeking regular bail in the case bearing FIR No.361 dated 08.10.2021 under Sections 304-B/34/498-A IPC, registered at Police Station Hansi Sadar, District Hisar.

Briefly, the allegations against the petitioner are to the effect that the marriage of the deceased was solemnized with Vikas, the son of the petitioner on 28.03.2019. The petitioner along with the son had been raising demand of ring, car and harassed the deceased due to dowry. On 08.10.2021, the deceased had committed suicide by hanging.

Learned counsel for the petitioner contends that there are general and vague allegations with regard to the demand of dowry. There is no specific allegation imputed against the petitioner with regard to demand of any article. The petitioner is in custody for a period of 01 year, 03 months and 13 days and not involved in any other case. The deceased has also left behind a son who is aged about 1 ½ years and is being looked after by the relatives of the petitioner.

that the petitioner has been specifically named in the FIR and further, submits that out of 14, only 03 witnesses have been examined.

The petitioner is the mother-in-law of the deceased. There are no specific allegations with regard to demand of any article attributed to her. The petitioner is in custody for a period of 01 year, 03 months and 13 days. So far only 03 out of 14 witnesses including the complainant have been examined. The deceased has left behind a child aged about 1 ½ years who is being looked after by the relatives of the petitioner. The conclusion of trial is likely to take sometime. No fruitful purpose will 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.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on her furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

06.02.2023

renubala

(VIVEK PURI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No