

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

CRM-M-7301-2022
Date of decision: 19.07.2023

BIMLA		...PETITIONER
	VERSUS	
STATE OF HARYANA		...RESPONDENT

CORAM: HON’BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sumit Sangwan, Advocate for the petitioner.

 Mr. Ram K. Singla, DAG, Haryana.

VIVEK PURI,J. (ORAL)

1. Custody certificate of the petitioner has been circulated today and the same is taken on record.
2. Bimla-petitioner is seeking regular bail in the case bearing FIR No.118 dated 01.07.2021, under Sections 304-B/498-A/34 IPC, 1860 registered at Police Station Jhojhu Kalan, District Charkhi Dadri.
3. Learned counsel for the petitioner contends that the marriage of the son of the petitioner was solemnized with the deceased on 25.11.2020 and she died on 01.07.2021. The cause of death is stated to be hanging. There is no specific allegation with regard to the demand attributed to the petitioner. Substantially, same allegations have been levelled against the husband of the petitioner who has been found to be innocent. The petitioner is in custody for a period of 01 year, 10 months and 15 days and is not involved in any other case. The petitioner is aged about 57 years and furthermore, the statement of the complainant has also been recorded. It has been further submitted that the deceased had committed suicide as she could not get through in some competitive examination.

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4. Learned State counsel has opposed the bail application on the score that the death has taken place within a period of about 08 months from the date of marriage and the deceased was on family way at the time of occurrence. Moreover, out of 23, 12 witnesses have been examined till date.

5. It is significant to note that, the petitioner is the mother-in-law of the deceased. Substantially, same allegations were levelled against her husband who has been found to be innocent. The FIR does not indicate that any specific article was demanded by the petitioner from the deceased. Even, no specific instance of cruelty has been pointed out in the FIR. The petitioner is in custody for a period of 01 year, 10 months and 15 days and is not involved in any other case. 11 more witnesses still remain to be examined. 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.

6. 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.

7. The petition is allowed accordingly.

19.07.2023

*renubala***(VIVEK PURI)**
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No