

CRM-M-6833-2023

Date of decision: 14.02.2023

JOGINDRO BAI

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Jasmeet Singh Ghumman, Advocate for the petitioner.

Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J. (ORAL)

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

Jogindro Bai-petitioner is seeking regular bail in the case bearing FIR No.102 dated 10.08.2021 under Sections 304-B IPC, 1860, registered at Police Station Sadar Jalalabad, District Fazilka.

Briefly, the FIR has been registered on the allegations that the marriage of the deceased was solemnized with Jaswant Singh, the son of the petitioner about 07 months prior to the occurrence. The petitioner along with other family members had been raising demand of Rs.2,00,000/-. The father of the deceased arranged a sum of Rs.50,000/- and gave to the husband of the deceased with an attempt to save the marriage. A day prior to the occurrence, the deceased gave a telephonic call to her father and inform that the petitioner along with other family members are raising demand of Rs.1,50,000/-. The deceased had committed suicide by hanging herself on 10.08.2021.

Learned counsel for the petitioner contends that substantially, same allegations were levelled against another son and daughter-in-law of the petitioner who were found innocent during the course of investigation. The

amount of Rs.50,000/- was allegedly paid to the son of the petitioner. The petitioner is the mother-in-law of the deceased and is aged about 60 years. The charge was framed as back as on 06.09.2022 but till date, no witness has been examined and the petitioner is not involved in any other case.

Learned State counsel has not assailed the aforesaid factual aspects but has opposed the bail application on the score that there are serious allegations with regard to commission of dowry death which took place after a period of about 07 months from the date of marriage.

It is significant to note that the petitioner is the mother-in-law of the deceased and is aged about 60 years. She is in custody for a period of 01 year, 06 months and 05 days and is not involved in any other case. The charge was framed on 06.09.2022 but out of 15, till date not witness has been 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.

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.

14.02.2023

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(VIVEK PURI)
JUDGE

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