

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

**CRM-M No.17283 of 2023 (O&M)
Date of Decision: 27.07.2023**

Smt. Kamlesh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Deepak Aggarwal, Advocate,
for the applicant-petitioner.

Mr. Amrik Singh Narwal, DAG, Haryana.

* * * *

MEENAKSHI I. MEHTA, J.(ORAL)

CRM No.28781 of 2023

This application has been moved on behalf of the applicant-petitioner for seeking permission to place the copies of the testimonies of PW1-Suresh, PW2-Murti and PW3-Sunil, on the record as Annexures P-3 to P-5 respectively.

Notice in the application.

Learned State counsel accepts the notice and submits that he has no objection in allowing the present application.

Keeping in view above-said fact as well as the reasons as mentioned in the instant application, the same is allowed and Annexures P-3 to P-5 are taken on the record.

CRM-M No.17283 of 2023

By way of the present petition, the petitioner has sought the relief of regular bail in the criminal case arisen out of the FIR bearing No.218 dated 12.10.2022 registered at Police Station Alewa, District Jind, under Sections 304-B and 406 read with Section 34 IPC, with the allegations that she, along-with her co-accused, had subjected her daughter-in-law named Suman, the daughter of the complainant, to cruelty for bringing insufficient dowry and also for demanding more dowry and had killed her.

2. Learned State counsel has submitted the '*pairvi report*' and the custody-certificate of the petitioner in the Court today and both these documents are taken on the record.

3. I have heard learned counsel for the petitioner as well as learned State counsel in the instant petition and have also perused the file carefully.

4. Learned counsel for the petitioner contends that as is explicit from the perusal of Annexures P-3 to P-5, i.e the copies of the testimonies of PW1 complainant-Suresh, PW2 Murti Devi and PW3 Sunil Kumar, i.e the father, mother and cousin brother of the above-named deceased respectively, they have resiled from supporting the prosecution version while appearing in the witness-box and the petitioner is an old lady and she is behind the bars since the date of her arrest, i.e 12.12.2022 and moreover, she is not involved in any other criminal case and in these circumstances, she deserves the relief as prayed for in the present petition.

5. Learned State counsel does not dispute the afore-referred factual position but he opposes the prayer of the petitioner for the grant of the relief of regular bail.

6. However, keeping in view the above-discussed undisputed facts and circumstances as well as the fact that the trial of the case is likely to take sufficient time to conclude and without commenting or expressing any opinion on the merits of the case, the petitioner named Kamlesh is hereby ordered to be released on regular bail subject to her furnishing the requisite personal and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. The petition in hand stands allowed accordingly.

27th July, 2023
seema

(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>