

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

**CRM-M-25964-2023 (O&M)
Date of Decision: 19.10.2023**

MAMO DEVI

... PETITIONER

V/S

STATE OF HARYANA

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Naveen Mandhan, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, AAG Haryana.

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VIVEK PURI, J. (ORAL)

1. The petitioner is seeking regular bail in case bearing FIR No. 224 dated 02.04.2022 under Sections 304-B, 34 IPC, registered at Police Station Sector 32-33, Karnal, District Karnal.

2. Custody certificate has been taken on record.

3. Learned counsel for the petitioner contends that the marriage of the deceased was solemnized with the son of the petitioner on 12.11.2021.

There are general and omnibus allegations against the petitioner and the co-accused with regard to harassment caused to her on account of demand of car and also for preparation of registration certificate of the vehicle given at the time of marriage by the parental family of deceased. The arrest of the petitioner was effected on 15.04.2022 and she is in custody for a period of more than 1-1/2 years and not involved in any other case. The charge was framed as back as on 14.09.2022 and no witness has been examined till date.

Substantially similar allegations have been levelled against the other son of the petitioner who was found innocent during the course of investigation.

4. Learned State counsel has opposed the bail application on the score that the deceased was at the initial stage of pregnancy and she has died on account of consumption of poison within a period of 4 months from the marriage. Moreover, there are allegations with regard to harassment meted out to the deceased on account of demand of dowry.

5. It may be mentioned here that the petitioner is in custody for a period of 1-1/2 years and no witness has been examined despite the fact that charge was framed more than 1 year ago. The petitioner is not involved in any other case. There are general and omnibus allegations levelled against the petitioner and the co-accused with regard to harassment meted out to the deceased on account of demand of dowry. The petitioner is the mother-in-law of the deceased. Substantially similar allegations were levelled against the other son of the petitioner who was found innocent during the course of investigation. 19 witnesses are to be examined in the instant case. The conclusion of trial is likely to take some time and no fruitful purpose would be served by detaining the petitioner in further custody.

6. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner. Therefore, without making any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

7. The petition is allowed.

19.10.2023

Janki

(VIVEK PURI)
JUDGE

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