

[222] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-52699-2023
Date of Decision : 08.11.2023

Kaushalya ...Petitioner

versus

State of HaryanaRespondent

Coram : **HON'BLE MR. JUSTICE VIVEK PURI**

Present : Mr. P.S. Ahluwalia, Advocate and
Ms. Bhavi Kapur, Advocate
for the petitioner.

Mr. Surinder Kumar Dagar, DAG, Haryana.

VIVEK PURI, J. (ORAL)

[1] The petitioner is seeking regular bail in case bearing FIR No.550 dated 05.12.2022 under Sections 302, 304-B and 34 IPC, registered at Police Station Sector 27, District Sonapat.

[2] Custody certificate dated 07.11.2023 has been taken on record.

[3] Briefly, as per the allegations in the FIR that the marriage of the deceased was solemnized about three years prior to the occurrence with Abhishek, the son of the petitioner. Allegations are to the effect that the husband, father-in-law and mother-in-law of the deceased had been harassing her for bringing dowry and raising demand of a vehicle. On account of non fulfillment of the demand of dowry, the deceased has been killed by them.

[4] Learned counsel contends that there are general and vague allegations levelled against all the accused. The similarly placed co-accused

ordinate Bench of this Court in terms of order dated 14.07.2023 passed in CRM-M-18194 of 2023 (Annexure P-13). A sum of Rs.8,50,000/- was deposited in the account of the deceased from the joint account of the petitioner and her husband. Besides, three fixed deposit accounts were also opened in the name of the deceased for a sum of Rs.1,50,000/- each. The amount in the PPF account was also being deposited in cash by the petitioner and her husband. The age of the petitioner, who is mother-in-law of the deceased is about 56 years and is in custody for a period of 10 months and 02 days.

[5] Learned State counsel, has opposed the bail application on the score that the name of the petitioner has been specifically mentioned in the FIR. Furthermore, the death has occurred within a period of 03 years from the marriage. The cause of death is stated to be hanging and further more there are allegations with regard to demand of dowry including a vehicle. It has been further submitted that no witness has been examined till date.

[6] It is significant to note that the case of the petitioner is at parity with Prem Kumar, her husband, who has been granted regular bail by the Co-ordinate Bench of this Court in terms of order (Annexure P-13). There are allegations to the effect that the petitioner and her husband had been making investments in the accounts in the name of the deceased. The petitioner is in custody for a period of more than 10 months and till date, no witness has been examined. The conclusion of trial is likely to take some more time and no fruitful purpose would be served by detaining the petitioner in further custody.

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[7] 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 his furnishing fresh bail bonds/surety bonds to the satisfaction of the concerned trial Court/Chief Judicial Magistrate/Duty Magistrate.

[8] The petition is allowed.

(VIVEK PURI)
JUDGE

08.11.2023
'Rajneesh'

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