

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-40680-2022 (O&M)
Date of decision: 24.01.2024

HARJEET KAUR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. A.K. Khunger, Advocate
for the petitioner.

Ms. Himani Arora, AAG, Punjab.

HARPREET KAUR JEEWAN, J. (ORAL)

1. Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case bearing FIR No.0064 dated 17.05.2022 registered under Section 306 IPC (offence under Section 304-B IPC has been added vide rapat No.32 dated 07.07.2022 and offence under Section 306 IPC has been deleted vide DDR No.20 dated 13.07.2022) at Police Station Sadar Jalalabad, District Fazilka.
2. The petitioner is facing trial in the present case, which has been registered at the instance of the complainant-father of the deceased. As per the prosecution case, the marriage of the daughter of the complainant was solemnized 02 years before the registration of the FIR. It was a simple marriage and no articles were given in the marriage ceremony. The present petitioner, who is the mother-in-law of the daughter of the complainant, used to harass her and used to

make a demand of dowry. On account of the harassment given by her husband and mother-in-law, the daughter of the complainant ultimately committed suicide by hanging herself with the ceiling fan.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case. The petitioner is in custody since 17.05.2022. He submits that as per the FIR, at the time of marriage of the deceased and son of the petitioner, only simple ceremony of chuni charawa was performed and no articles were given on account of dowry by the complainant. After their marriage, petitioner had never harassed the deceased on account of demanding dowry. The petitioner is mother-in-law of the deceased and 55 years old lady. He further submits that material witnesses i.e the complainant and Nirmal Kaur (PWs) have already been examined during the trial. There are total 21 witnesses and only 2 witnesses have been examined so far. He further contends that the trial is going to take time to conclude, as such, prayer for releasing the petitioner on bail has been made.

4. On the other hand, learned State counsel opposes the bail on the ground that the allegations levelled against the petitioner are serious in nature. However, on instructions from Investigating Officer submits that investigation qua the petitioner is complete and challan has already been presented. He further submits that out of total 21 witnesses, only 2 witnesses have been examined so far.

5. Perusal of the file reflects that challan has already been presented; the petitioner is facing trial; the petitioner is 55 years old lady, who is in custody since 17.05.2022; the material witnesses have already been recorded during the trial and there are total 21 witnesses, out of which only 2 witnesses have been examined so far, as such, trial will take time to conclude.

6. Without commenting on the merits of the case and keeping in view the above facts, the present petition is allowed.
7. The petitioner is ordered to be released on regular bail, subject to her furnishing adequate bonds/surety to the satisfaction of the trial Court/concerned Duty Magistrate, concerned.
8. All pending miscellaneous application(s), if any, stands disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

24.01.2024
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No