

Sr. No.221

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-50510-2023
Date of decision: 21st March, 2024

CHARANJIT KAURPetitioner

versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

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

Mr. Davinder Bir Singh, Sr. DAG, Punjab.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 439 of the Code of Criminal Procedure, 1973 seeking regular bail in case FIR No.132 dated 09.08.2023, under Section 304-B of IPC, 1860, registered at Police Station Dugri, District Ludhiana (Annexure P-1).
2. As per the prosecution case, the son of the petitioner got married to the daughter of the complainant on 20.09.2020. On 08.08.2023, the daughter-in-law of the petitioner died an unnatural death by committing suicide. There are allegations that the petitioner and her son used to harass the victim on account of demand of dowry.
3. Learned counsel for the petitioner *inter alia* contends that the petitioner is in custody since 11.08.2023. The allegations against the petitioner are general in nature. In fact, the son of the petitioner and the deceased were leading a happily married life and there was no interference of the petitioner in their matrimonial life, which is evident from their photographs (Annexure P-2). The

victim/deceased was short-tempered and used to get angry in petty matters. Except

for the statement of the complainant, there is no evidence against the petitioner regarding the alleged harassment on account of demand of dowry. As per her medical record of Dayanand Medical College & Hospital, Unit- Hero DMC Heart Institute, Ludhiana (Annexure A-1), the petitioner is a patient of cardiac disease. As per her medical record (Annexure A-2), the petitioner suffered cardiac disease in the year 2019. As per the documents annexed along with CRM-54008-2023, the petitioner is in judicial custody and the jail doctors referred her to Government Civil Hospital, Ludhiana for her medical check up, including her Echocardiography and TROP-T test.

4. Learned State counsel has opposed the bail application on the ground of gravity of allegations levelled against the petitioner. However, the learned State counsel, on instructions from ASI Sunil Kumar, P.S. Dugri, Ludhiana, has confirmed that challan has already been presented on 12.12.2023 and charges have been framed on 06.02.2024. The trial is now listed for prosecution evidence.

5. Learned counsel for the complainant has also opposed the bail application on the ground of gravity of allegations levelled against the petitioner.

6. I have considered the aforesaid contentions.

7. The petitioner has placed on record copy of the zimni order dated 26.02.2024, passed by the Additional Sessions Judge, Ludhiana, as per which, no prosecution witness was present and it has been noted that even earlier, prosecution witnesses were not present and the witnesses have been summoned by the trial Court throughailable warrants.

8. Investigation is complete. Challan/final report under Section 173(2) Cr.P.C. has already been presented. Completion of trial is going to take time, as such, keeping in view the age of the petitioner, who is a female and her medical

history and keeping in view the fact that the petitioner is in custody since 11.08.2023, it is a fit case for releasing the petitioner on bail.

9. Without commenting on the merits of the case and keeping in view the above facts, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing adequate bonds/surety to the satisfaction of the trial Court/CJM, concerned.

10. All the pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

21st March, 2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No