

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No. M-43328 of 2014 (O&M)
Date of decision : 24.12.2014

Joginder Kaur and anr.Petitioners
versus

State of Punjab ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms. Puja Chopra, Advocate, for the petitioners

Ms. Anmol Grewal, AAG, Punjab

RITU BAHRI, J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner, in a case arising out of FIR No.35, dated 31.03.2014, registered at Police Station Makhu, Distt. Ferozepur, who has been booked for having committed the offence punishable under Sections 306/120-B IPC.

The present petitioners are bhua and phuphar of the deceased Nirmal Singh. The deceased Nirmal Singh and his 3 brothers namely Tarsem Singh, Kulwinder Singh and Jaswinder Singh were not cordial terms with their father Karam Singh (co-accused). The four sons of the co-accused Karam Singh used to harass and misbehave with their father Karam Singh in order to grab his movable and immovable property i.e land measuring 92k-7M, his tractor etc. The sons of Karam Singh manipulated a transfer deed dated 21.11.2012 in their names qua 74K-0M and 18K-17M were allegedly left to Karam Singh for his maintenance. But the said 18K-7M were in physical possession of deceased

Nirmal Singh and his brother Kulwinder Singh. Even the moveable property i.e tractor etc were snatched away from Karam Singh and he was left homeless and penniless. The petitioners being close relatives of Karam Singh rescued Karam Singh and took him home with them to their village Rasulpur.

Karam Singh gave various representation/complaints against their sons (P-2 to P-8) with regard to the properties being taken by them forcefully. While the proceedings were pending in the petition filed under the Senior Citizens Act for cancellation of the above said transfer deed in favour of his sons and maintenance, Nirmal Singh along with his wife and son committed suicide on 29.03.2014.

Learned State counsel on instructions from ASI Lal Singh submits that after presentation of the challan and framing of charges, the trial is at the stage of recording of statement of 27 prosecution witnesses. It has further been informed that Karam Singh had been released on bail.

The present petitioners are in custody since 21.08.2014 and they had only given shelter to the petitioners and their role will be seen at the final stage of the trial.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

Keeping in view the period of incarceration of the petitioners, this court feels that there is no need to detain the petitioners any longer, Accordingly, the present petition is

allowed. Petitioners are ordered to be released on bail during pendency of the trial of the present case, subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate, Ferozepur.

24.12.2014
G Arora

(RITU BAHRI)
JUDGE