

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M No.17495 of 2015

Date of Decision:-21.09.2015

Baljit Kaur.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. Deepinder Brar, Advocate for the Petitioner.

Dr. Deepa Singh, Additional Advocate General, Punjab
along with ASI Gural Singh.

JASWANT SINGH, J.(ORAL)

Prayer is for grant of regular bail under Section 439 Cr.PC to the petitioner-Baljit Kaur in case FIR No.66 dated 20.09.2013 for offence punishable under Sections 302, 109 & 34 of Indian Penal Code registered with Police Station Sadar, Budhlada, District Mansa.

As per allegations in the FIR lodged by the complainant Tarlochan Singh, who is the maternal uncle of the deceased Amandeep Kaur, after the divorce of the mother of the deceased (sister of the complainant), Amandeep Kaur continued to be residing at her parental home. She is alleged to have been mistreated and given beatings by her accused-father. When on the death of the husband of the present petitioner i.e. the grandfather of the Amandeep Kaur, the complainant Tarlochan

Singh and his brother Lakhwinder Singh had gone to the house of the petitioner-accused to offer condolences, they were asked by the accused persons to take away Amandeep Kaur since her presence was causing hindrance to the marriage prospects of Lakhwinder Singh. Since the demand for the share of Amandeep Kaur in the ancestral property was made, on the instigation of the petitioner the father Lakhwinder Singh is alleged to have caused the death of his daughter by strangulation.

Learned Counsel for the petitioner contends that the petitioner is in custody since 20.09.2013 and totally false case has been foisted upon her by alleging the role of inciting her son to cause the murder of her granddaughter. It is submitted that it is highly unbelievable that the petitioner who was in mourning on account of death of her husband could have been the perpetrator of such a plan.

Learned State Counsel on instructions from ASI Gurpal Singh submits that 12 witnesses out of 22 witnesses have been examined. It is conceded that the material witnesses have since been examined and only the formal witnesses remains to be examined.

Without commenting upon the merits of the case and in such circumstances, no useful purpose is going to be served by keeping the petitioner behind the bars. As such the present petition is allowed and petitioner is ordered to be released on bail to the satisfaction of CJM/Duty Magistrate, Mansa.

(JASWANT SINGH)
JUDGE

September 21, 2015
Vinay