

In the High Court of Punjab and Haryana at Chandigarh

CRM-M-43529 of 2014
Date of Decision: 05.02.2015

Kamal @ Kamaljeet Kaur

---Petitioner

versus

State of Punjab

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Ms. R.K. Manaise, Advocate
for the petitioner**

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

REKHA MITTAL, J.

The petitioner prays for grant of bail in anticipation of arrest in FIR No.177 dated 18.11.2014 for offence punishable under Section 306 read with Section 34 of the Indian Penal Code(in short "IPC").

Counsel for the petitioner contends that the petitioner and her husband have been falsely indicted in the crime due to civil dispute pending in the court in regard to property left behind by Ujjagar Singh, father of the deceased. It is further submitted that the complainant was not present at the spot at the time of alleged visit of the petitioner and her husband to his house wherein they allegedly quarrelled with Balwinder

Kaur deceased driving her to commit suicide. It is further argued that the petitioner is ready to join investigation when otherwise her custodial interrogation is not required.

I have heard counsel for the petitioner and perused the records.

The instant FIR has been lodged by husband of deceased Balwinder Kaur who committed suicide by consuming sulphas on 18.11.2014. As per the allegations, Harnek Singh husband of the petitioner used to quarrel with Balwinder Kaur for transferring her share in the property left behind by Ujjagar Singh in favour of Amrik Singh, elder brother of Harnek Singh. On 17.11.2014, the petitioner along with Harnek Singh came to the house of the complainant and quarelled with Balwinder Kaur which was not palatable to the deceased. Again on 18.11.2014 at about 9-00 a.m., the petitioner along with Harnek Singh came to the house of the complainant, quarrelled with her and insulted her and thereafter Balwinder Kaur consumed poison and eventually was declared brought dead by the doctors of Max Hospital, Mohali. Balwinder Kaur was not left with any interest in the property as she along with her sister Jasbir Kaur had transferred their share in the said property in favour of their elder brother namely Amrik Singh. Custodial interrogation of the petitioner is required for progress in investigation and to unearth what happened between the deceased and the petitioner and her husband during their meeting with the victim on 18.11.2014 at about 9-00 a.m. which instigated the deceased to take such an extreme step of eliminating herself, leaving her family at an unbearable loss.

In this view of the matter, I do not find it to be a fit case

wherein the petitioner deserves benefit of bail in anticipation of arrest, an extraordinary relief to be allowed in cases where the criminal proceedings are the result of political vendetta or for some extraneous considerations.

Dismissed.

(REKHA MITTAL)
JUDGE

05.02.2015

PARAMJIT