

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

**CRM-M No. 2664 of 2016 (O&M)
Date of Decision: 28.01.2016**

Kiran Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Madan Sandhu, Advocate
for the petitioner.

Ms. Rimplejeet Kaur, AAG, Punjab
for the respondent/State assisted by ASI Harbans Singh.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular bail on behalf of the petitioner in case FIR No. 125, dated 19.08.2015, for offence punishable under Section 306 of the India Penal Code, registered at Police Station Sardulgarh, District Mansa.

Love marriage of the accused-petitioner and the deceased-Jagjit Singh (son of the complainant-Mangal Singh) was solemnized on 13.10.2014 against the wishes of the family of Jagjit Singh. They were admittedly staying separately in a different village. In July-2015, Jagjit Singh had gone to the house of his father/complainant where he stated to have died. The cause of death opined due to complications in right side *bronchopneumonia* and shock due to *septicemia* which are ante mortem in nature. On account of suicide note recovered, the petitioner has been booked for offence under Section 306, Indian Penal Code.

It is contended that the petitioner is in custody since 19.08.2015 and after completion of the investigation, challan has been presented. It is further submitted that from the facts of the case, no offence under Section 306, Indian Penal Code against the present petitioner is made out.

Learned State Counsel, assisted by ASI Harbans Singh, is unable to refute the aforesaid factual contention and further states that the case is now fixed for commencement of the prosecution witnesses, who are fifteen in number.

Without commenting on the merits of the case, keeping in view the custody period of the petitioner and the fact that the trial is not likely to be concluded in near future, no useful purpose would be served by keeping the petitioner in custody, the present petition is allowed and the petitioner is ordered to be released on bail subject to satisfaction of Chief Judicial Magistrate/Duty Magistrate, Mansa.

January 28, 2016

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**(JASWANT SINGH)
JUDGE**