

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

Crl. Misc. No. M-39586 of 2016

Date of Decision:-16.11.2016

Rajvir Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.J.S. Lalli, Advocate for the petitioner.

Mr.P.S.Madahar, AAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer made in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.115, dated 25.09.2016, for offence under Section 306 IPC, registered at Police Station, Bhogpur, Distt.Jalandhar, during the pendency of trial.

Learned counsel for the petitioners contends that the petitioner is a household lady having a minor daughter of three years of age. Her husband, namely, Kulvir Singh is doing the business of Tiffin service and petitioner is helping him in the said work from their home. He further submits that there is no allegation against the petitioner and she has been named in the suicide note for the simple reason that she is wife of Kulvir Singh with whom the deceased family has the financial dealings. She is in custody since 26.09.2016 and the petitioner has not abated the deceased family to commit suicide. He also submits that alleged suicide note is

highly doubted

On the other hand, learned State counsel has filed the custody certificate of the petitioner which is taken on record. He on instructions from ASI-Shailender Singh, submits that as many as four persons have committed suicide and the petitioner has specifically been named in the said suicide note. Therefore, at this stage particularly when the petitioner is in custody for a short period i.e. one month and 20 days, she does not deserve the relief for grant of regular bail.

I have heard learned counsel for the parties.

It has not been disputed that the petitioner is a household lady having a minor daughter of three years of age and she is required to take care of her daughter. She is in custody since 26.09.2016. Therefore, I deem it appropriate to allow the present petition for grant of regular bail.

Accordingly, the present petition is accepted and the petitioner is ordered to be released on regular bail, subject to her furnishing bail/surety bonds to the satisfaction of the trial Court.

However, it is made clear that the petitioner shall not hamper the investigation in any manner.

It is also made clear that expression made here-in-above shall not be construed as an expression on the merits of the case and the trial Court shall be at liberty to decide the case on the basis of available evidence.

16.11.2016.
Anjal

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned?

Yes

Whether reportable?

Yes/No