

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-13516 of 2017

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Date of decision:3.5.2017

Sukhwinder Kaur

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Amit Dhawan, Advocate for the petitioner.

Mr. V.P.S. Sidhu, Assistant Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.137 dated 30.8.2016 (Annexure-P.1) registered for the offences under Sections 306 and 120-B IPC at Police Station Sultanpur Lodhi, District Kapurthala.

Notice of motion to Advocate General, Punjab.

Mr. V.P.S. Sidhu, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that as per the allegations in the FIR, Tarun Kumar (since deceased) was married with Rachanjit Kaur. Rajinder Singh Pardesi father of Rachanjit Kaur filed complaint regarding harassment and dowry demand against Tarun Kumar as well as his parents. The present petitioner is mother of Rachanjit Kaur. There is no allegation against the present petitioner of any abetment to commit suicide by Tarun Kumar. Even in the suicide note, it has been mentioned that Rachanjit Kaur was in Canada at the time of occurrence. The main allegation is that Rachanjit Kaur had not pursued the case of her husband-Tarun Kumar for bringing him to Canada and ₹30 Lakhs were demanded from Tarun Kumar. The only allegation against the present petitioner, who is mother of Rachanjit Kaur, is that Rachanjit Kaur took the file back as advised by her father, mother and sister and started demanding ₹30 Lakhs that they will put the file again if given ₹30 Lakhs.

The petitioner has been in custody since 2.3.2017. She is not required for interrogation or investigation purposes as she is in judicial custody. Nothing is to be recovered from her. The trial of the case will take long time. No useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Therefore, keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing personal bond in the sum of ₹40,000/- with

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one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

May 3, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No