

CRM-M-31986-2017(O&M)

Date of decision: 05.09.2017

Meera

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. J.S. Dhaliwal, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case FIR No.102 dated 28.05.2017, under Sections 306 and 34 IPC, registered at Police Station Canal Colony, District Bathinda.

Learned counsel for the petitioner submits that the petitioner is in judicial lock up since 10.06.2017 and the co-accused i.e. mother of the petitioner, namely, Smt. Raj Bala has been granted regular bail by the Sessions Court on 16.08.2017 and the other co-accused Ram Mehar i.e. brother of the petitioner has also been granted anticipatory bail by the Sessions Judge. Counsel for the petitioner further submits that a perusal of the FIR, it shows that there was a matrimonial discord between the petitioner and her husband-Anil, who allegedly committed suicide by writing a suicide note, original of which, has been handed over to the police by the complainant. It is further submitted that the original suicide note has not been sent to FSL for comparing the handwriting of the deceased. It is also submits that there is no specific allegation of abatement in the suicide note and the petitioner has two minor sons, aged about 10 years and 7 years, respectively, and she is to look after them.

On the other hand, learned State counsel, on instructions from HC Malkeet Singh, submits that the original suicide note is on the police file but the same could not be sent to FSL as the handwriting sample of the deceased has not been provided by the complainant.

Without commenting on the merits of the case, the present petition is allowed. Petitioner is directed to be released on regular bail subject to her furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Illaq Magistrate concerned.

(ARVIND SINGH SANGWAN)
JUDGE

05.09.2017
Hemlata

Whether speaking/reasoned	Yes / No
Whether reportable	Yes / No