

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

**CRM-M-36546-2017 (O&M)
Date of decision: - 3.10.2017**

Anju Devi

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: - HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: - Mr. D.S. Kahlon, Advocate for the petitioner.

Ms. Rajni Gupta, Sr. DAG, Punjab.

ARVIND SINGH SANGWAN, J (ORAL)

This is a petition under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 54 dated 5.6.2017 registered under Section 306 IPC, at Police Station Shahpurkandi, Tehsil and District Pathankot.

Learned counsel for the petitioner submits that marriage of the petitioner-wife was performed with the deceased Ashwani Kumar 12 years ago and one child was born out of this wedlock and one child who was born from the previous marriage of deceased husband is also residing with the parents of the petitioner.

It is further submitted that petitioner is a household lady and there is no other person to look after her family. He further submits that there is no suicide note written by the deceased-Ashwani Kumar to point out that petitioner has abetted him for committing the offence.

Learned State counsel, on instructions from ASI Nachhater Singh has opposed the concession of regular bail to the petitioner.

Keeping in view the above and without commenting upon merits of the case, present petition is allowed. Petitioner is directed to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Pathankot.

However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any other subsequent case or found misusing concession of bail.

3.10.2017
preeti

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No