

CRM-M-45202-2016

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

CRM-M-45202-2016

Date of Decision: 17.03.2017

Mohinder Kaur and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. A.S.Brar, Advocate,
for the petitioners.

Mr. V.P.S.Sidhu, AAG, Punjab.

None for respondent No.2.

INDERJIT SINGH, J.

Petitioners-Mohinder Kaur and Tirath Singh have filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in criminal complaint No.RT-134 dated 14.03.2011, instituted on 15.03.2011, under Sections 302 and 34 IPC, titled as 'Gurmail Singh vs. Sarabjit Kaur and others', in which the petitioners have been summoned under Section 302 read with Section 120-B IPC.

Notice of motion was issued. Learned State counsel appeared on behalf of respondent No.1-State and contested the instant petition.

CRM-M-45202-2016

However, none has appeared on behalf of respondent No.2- despite service to contest this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that first of all, it is a complaint case and trial is going on, therefore, the petitioners are not required for any investigation or interrogation purposes. Secondly, main accused, Sarabjit Kaur, has already been granted regular bail by a Coordinate Bench of this Court. Petitioner No.1-Mohinder Kaur is the mother of Sarabjit Kaur, main accused and petitioner No.2-Tirath Singh is the brother of Sarabjit Kaur. As per the allegations, there was a matrimonial dispute between Sarabjit Kaur and her husband namely Sukhwinder Singh and Sarabjit Kaur was residing in the house of her parents.

The petitioners have been in custody since 17.08.2016. The trial of the case will take long time. No useful purpose will be served by keeping the petitioners in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail; without expressing any opinion on the merits of the case and on the ground of parity also, this criminal miscellaneous petition is allowed and the petitioners are ordered to be released on bail subject to their furnishing personal bonds

CRM-M-45202-2016

in the sum of ₹50,000/- each with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

17.03.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No