

Criminal Misc. M- No. 45558 of 2016 (O&M)

Date of decision : May 11, 2017

Swarn Singh and another

.....Petitioners

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Sahil Puri, Advocate
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

LISA GILL, J.

This petition was dismissed as infructuous qua petitioner No. 1
– Swarn Singh on 24.01.2017 as the said petitioner was arrested.

Petitioner – Kuljeet Kaur wife of Swarn Singh prays for grant
of concession of anticipatory bail in FIR No. 81 dated 27.08.2014 registered
under Section 306 IPC at Police Station Bholath, District Kapurthala.

It is submitted that the matter was thoroughly inquired by the
Deputy Superintendent of Police, Sub Division Bholath. As per report dated
01.01.2016, it was found that allegations against the petitioner and her
husband were incorrect. The father of the deceased, Swarn Singh (co-
accused) sought voluntary retirement in 2008 after serving the CRPF. Swarn
Singh alongwith his first wife (mother of the deceased) went to America in
2010 leaving their daughter with her grand mother at village Peer
Bakshwala. Swarn Singh's first wife died in an accident after a short while.

It was noted that the deceased's father used to send money to the deceased from abroad where he was working. The said money was handed over by the deceased to her uncle (Masar). Swarn Singh remarried in March 2014 with petitioner No. 2. The deceased's father sought an account of the money from his brother-in-law. There were discussions in this regard on 26.08.2014 and Swarn Singh's brother-in-law asked him to come to his house on the next day to get his gold and money. It is noted that the deceased feared that in case money was not returned by Sukhwinder Singh, her father would question her regarding the same. It is due to this reason that she committed suicide. No such incident, as alleged by the complainant, who is a cousin of the deceased, took place. It was recommended that a cancellation report be prepared. It is, thus, submitted that the petitioner is being wrongly proceeded against. The present petitioner is being roped in only because she is the step mother of the deceased. Furthermore, she has joined investigation pursuant to interim order dated 24.01.2017 passed by this Court. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions from ASI Baljinder Singh, Police Station Bholath, District Kapurthala verifies that petitioner - Kuljeet Kaur has joined investigation. Her custodial interrogation is not required. She is not involved in any other case. Investigation, in this case, it is submitted is complete.

There are no allegations on behalf of the State that the petitioner is likely to abscond or that she is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances noted above but without expressing any opinion on the merits of case, it is considered just

and expedient to allow this petition. Consequently, order dated 24.01.2017 is made absolute.

May 11, 2017
rts

(Lisa Gill)
Judge

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