

Criminal Misc. M- No. 7990 of 2017 (O&M)

Date of decision : July 05, 2017

Hardeep Kaur

.....Petitioner

Versus

State of Punjab

....Respondent

CORAM:- HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Ravi Malhotra, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

LISA GILL, J.

Prayer is for bail pending trial to the petitioner in FIR No.134 dated 11.09.2016 registered under Section 306 IPC at Police Station Division No. 1, District Jalandhar.

It is submitted that the petitioner, who is the mother-in-law of the deceased, has been falsely implicated in this case. The husband and the father-in-law of the deceased were found innocent during investigation. Apart from the fact that the allegations in the FIR do not attract the rigours of Section 306 IPC, the material witnesses i.e. the complainant and Uncle (Chacha) of the deceased have not supported the prosecution version. They have been declared hostile. The petitioner is in custody since 11.09.2016. She is not involved in any other case. It is, thus, prayed that this petition be allowed.

Learned counsel for the State, on instructions, from ASI Braham Lal, Police Station Division No. 1, Jalandhar verifies that the complainant, PW1 as well as the uncle/Chacha of the deceased have not supported the prosecution version. They have been declared hostile. There are no allegations on behalf of the State that 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. No useful purpose shall be served by keeping the petitioner incarcerated any longer. 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, the petitioner be released on bail pending trial subject to her furnishing requisite bail bonds and surety bonds to the satisfaction of the learned trial Court.

It is reiterated that none of the observations made herein above are a reflection on the merits of the case and shall have no bearing on the trial.

July 05, 2017
rts

(Lisa Gill)
Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes/No