

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

**CRM-M-16385-2018 (O&M)**

**Date of Decision: 30.04.2018**

Darshan Kaur

....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

Present: Mr. M.S. Dhaliwal, Advocate  
for the petitioner(s).

Mr. K.S. Aulakh, DAG, Punjab.

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**ANITA CHAUDHRY, J**

The petitioner is seeking regular bail in FIR No.76 dated 04.07.2017 registered at Police Station Lehra, District Sangrur under Sections 306 of IPC and Section 304-B of IPC (added lateron).

Learned counsel for the petitioner contends that the petitioner is in custody since 06.07.2017 and she is the mother-in-law of the deceased and the daughter of the deceased is also in jail with her. It was urged that investigation is over and challan has been presented but no witness till now has been examined and in the FIR the complainant had mentioned that a call has been received from the daughter and who had disclosed that if she died then they can find proof from her cupboard and the prosecution is relying upon a suicide note which is yet to be verified. Counsel states that the suicide note could not have been written after consuming poison and had there been any struggle there would be inquiry and the deceased not only

named the mother-in-law but also the Jeth and Jethani who forced her to consume poison. Counsel further submits that Section 302 of IPC has been added and charge has been framed.

The petitioner is in custody for almost 9 months. Not a single witness has been examined. There is a child (of the deceased) in the jail along with the petitioner. The allegations of forceful administration of poison is levelled upon the Jeth and Jethani and the mother-in-law though the FIR does not refer to that fact. It will have to be seen whether the deceased could have written a suicide note after the poison was consumed. The role attributed in the FIR against the in-laws was that they did not allow the girl to speak to her family.

Without commenting anything on the merits of the case, the petition is allowed. The petitioner is ordered to be released on bail on her furnishing surety and adequate bonds to the satisfaction of the trial Court/Duty Magistrate.

**April 30, 2018**

*ps-I*

**(ANITA CHAUDHRY)  
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No