

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-18778 of 2018

DATE OF DECISION:19.09.2018

Karamjit Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Vaibhav Narang, Advocate
for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

Ms. Veerpal Kaur, Advocate
for the complainant.

DAYA CHAUDHARY, J.

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to petitioner-Karamjit Kaur in case FIR No. 37 dated 22.2.2017 registered under Section 306 IPC at Police Station Bhargo Camp, District Jalandhar City.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in this case, whereas, she was not involved. No suicide note was left by the deceased. Simply an allegation is there against the petitioner that she was residing with the deceased, used to fight with him and stopped him from going to complainant's home. Learned counsel further contends that there is no evidence on record to prove that the petitioner instigated the deceased to commit suicide. The petitioner was working in

the orchestra group and the deceased was the driver of the vehicle used for travelling by the orchestra group. Nothing was recovered from the petitioner. Challan has already been presented and charges have also been framed. The petitioner is ready to appear before the trial Court on each and every date and undertakes not to influence the witnesses or tamper with the evidence. The petitioner is in custody for the last more than four and a half months. There are total 19 witnesses and trial may take long time to conclude.

Learned counsel for the respondent-State has not disputed the custody of the petitioner as well as stage of the trial but opposes the submissions made by learned counsel for the petitioner.

Similarly learned counsel for the complainant has also vehemently opposed the submissions made by learned counsel for the petitioner on the ground that petitioner and deceased were residing together and were having strained relations.

Heard arguments advanced by learned counsel for the parties and have also gone through the contents of the FIR and other documents available on the file.

Keeping in view the submissions made by learned counsel for the petitioner and also the facts that the petitioner is a married woman, having 8 years old minor son and there is no other member in the family except the father to look after him; neither any suicide note was left by the deceased; the allegations are matter of record, which can be tested by the trial Court during trial, the trial may take long time to conclude and no purpose would be served by keeping the petitioner behind the bars, the present petition is allowed. Petitioner-Karamjit Kaur is directed to be

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released on regular bail subject to her furnishing bail/surety bonds to the satisfaction of trial Court.

September 19, 2018
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes