

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

**Criminal Misc. No.M-19330 of 2018(O&M)
Date of Decision: May 30, 2018.**

Jagjit Kaur

Petitioner

Versus

State of Punjab

Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Liaqat Ali, Advocate
for the petitioner.

Ms. Ruchika Sabharwal, AAG., Punjab.

Ms. Satpreet Grewal, Advocate
for the complainant.

LISA GILL, J.

Petitioner, who is the mother-in-law of the deceased seeks the concession of bail pending trial in FIR No.65 dated 24.03.2018, under Sections 306, 34 IPC, registered at Police Station Jodhan, District Ludhiana.

It is submitted that the petitioner has been falsely implicated in this case due to her relationship with the deceased. The petitioner's son was married to the deceased 18/19 years prior to the unfortunate incident. The couple was blessed with one son. It is submitted that absolutely baseless allegations have been levelled in the FIR to the extent that the deceased was harassed and ill-treated by the petitioner due to which the complainant's daughter committed suicide.

Learned counsel for the petitioner vehemently argues that there is

not a single complaint available on record which may have been lodged from the date of marriage 18/19 years ago till the incident, levelling any kind of allegations of ill-treatment or harassment. In-fact, the deceased was being compelled by her mother to shift to her mother's residence alongwith her husband (petitioner's son) and child. Moreover, the petitioner is a 72 years old lady. She undertakes to face the proceedings and not abuse the concession of bail, if afforded to her. It is thus prayed that this petition be allowed.

Learned counsel for the complainant and the State have opposed this application. However, it is not denied that at this stage, there is no complaint regarding any ill-treatment or harassment by the petitioner since the marriage of the petitioner's son with the deceased which admittedly took place 18/19 years prior to the unfortunate incident.

Learned counsel for the State, on instructions from HC Harpreet Singh, verifies that final report under Section 173 Cr.P.C., has been presented in this case and the petitioner is not involved in any other criminal case. 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 before the Court, if released on bail. Trial in this case is not likely to conclude in the near future. No useful purpose would be served by keeping the petitioner incarcerated any longer in the facts and circumstances of this case.

Keeping in view the peculiar facts and circumstances of the case but without commenting upon or expressing any opinion on the merits thereof, this petition filed by Jagjit Kaur, is allowed. Petitioner be released on bail pending trial subject to her furnishing requisite bail bonds and surety to the satisfaction of the learned Trial Court.

It is clarified that none of the observations made hereinabove shall be construed to be a reflection on the merits of the case. The same are solely confined for the purpose of decision of the present petition.

30.05.2018

s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.