

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

CRM-M No.22120 of 2018
Date of decision: 4th June, 2018

Manbir Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. A.P.S. Deol, Senior Advocate with
Mr. Vikas Cuccria, Advocate
for the petitioner.

Mr. H.S. Grewal, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Manbir Kaur in this first regular bail application under Section 439 Cr.P.C. in case FIR No.95 dated 03.07.2002 registered at Police Station Sadar Faridkot under Section 306 IPC, are that on 15.03.2002 Prabhjot Singh alias Kaka, the first husband of the petitioner, went missing and his dead-body was found on 23.03.2002 along with a suicide note wherein the deceased had not levelled allegations against anybody and had taken the same on his own shoulders, and subsequently, upon the representations and pursuing by the father of the deceased, present case was got registered in which the petitioner was initially declared as proclaimed offender

and subsequently she surrendered before the authorities on 23.05.2018 and since then she is behind bars.

Contentions of the learned counsel for the petitioner are that there is not an iota of evidence against the petitioner for her role in the death of the deceased which is purely due to drowning and that the suicide note further strengthens the innocence of the petitioner and that she has been falsely implicated for ulterior motive to be served by the father of the deceased.

Mr. H.S. Grewal, learned Additional Advocate General, Punjab on behalf of the State fairly concedes that there is not even a semblance of evidence to connect the petitioner with commission of the offence and that the present FIR has been got registered after almost four months, though has sought to oppose grant of bail to the petitioner on the grounds that trial is underway.

Appreciating the submissions of the two sides, in the light of stand of the State, since initially there was no allegation levelled against the petitioner and the own stand of the State that there is no evidence as on date against the petitioner for her role in commission of the crime together with the fact that trial is not likely to conclude in the near future, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, she is

ordered to be released on regular bail to the satisfaction of Chief
Judicial Magistrate/Duty Magistrate, Faridkot.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

June 4, 2018
rps

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