

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

**CRM-M-29081-2018 (O&M)**

**Date of Decision:10.12.2018**

Paramjit Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

**CORAM : HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present : Mr. J.S. Warring, Advocate  
for the petitioner.

Ms. Rajni Gupta, Sr. D.A.G. Punjab.

Mr. Padamkant Dwivedi, Advocate  
for the complainant.

**JAISHREE THAKUR, J. (Oral)**

**CRM-39418-2018**

This application is disposed of as having been rendered infructuous.

**CRM-39419-2018**

The application is allowed as prayed for. Documents Annexures P-7 to P-14 are taken on record and exemption as prayed for is granted subject to all just exceptions.

**Main case**

The petitioner herein has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.33 dated 30.03.2017 registered under Sections 302/304-B/149 IPC later on charge framed under Sections 302/304-B/34 IPC at Police Station Sadar Fazilka, District Fazilka.

Learned counsel for the petitioner herein would contend that

petitioner has been in custody since 14.4.2017 and the entire family of the husband of the deceased has been implicated.

Per contra, learned counsel for the respondent-State as well as learned counsel for the complainant submitted that the deceased was killed in her matrimonial home within a period of 2 ½ years of marriage along with minor daughter. It is further contended that husband of the deceased was allowed bail by concealing the true fact that he was in Calcutta at the time when the offence was committed.

I have heard learned counsel for the parties. Without commenting upon the merits of the case, I deem it appropriate to allow regular bail to the petitioner while taking into consideration that there are three minor children but have no adult in the family to take care of their well being. As per the record, three minor children are managing themselves without any adult member in the family which is also affecting their studies. The petitioner herein is the mother. Therefore, on this ground alone regular bail is allowed to her. However, it is made clear that if any other bail application is filed by any other family members who are in custody, this order would no bearing on the merits of their case.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate, concerned.

**10.12.2018**  
rajeev

**(JAISHREE THAKUR)**  
**JUDGE**

**Whether speaking/reasoned**

**Yes/No**

**Whether reportable**

**Yes/No**