

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

CRM-M-45666 of 2017 (O&M)

Date of Decision:29.01.2018

Gurpreet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

AND

CRM-M-46542of 2017 (O&M)

Surjeet Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr.G.S.Kaura, Advocate
for the petitioners.

Ms. Seena Mand, DAG, Punjab.

LISA GILL, J(Oral).

This order shall dispose of CRM-M-45666 of 2017 and CRM-M-46542 of 2017. For the sake of convenience, facts are extracted from CRM-M-45666 of 2017.

Petitioners in both these petitions seek the concession of anticipatory bail in FIR No.113 dated 09.11.2017, under Section 306 IPC, registered at Police Station Banur, District Patiala.

Petitioner-Gurpreet Singh, is the married brother-in-law and petitioner-Surjeet Kaur, is the mother-in-law, of the deceased. It is submitted that the deceased was married to co-accused Baljit Singh about four and a half years prior to the unfortunate occurrence. The couple was blessed with twin daughters. The present petitioners, it is submitted were living separately from the deceased and her husband since the past 3 years prior to the unfortunate incident. Petitioner-Surjeet Kaur, is living with her son Gurpreet

Singh. It is debatable whether the allegations in the FIR constitute an offence punishable under Section 306 IPC qua the present petitioners. It is further submitted that the twin daughters of the deceased and Baljit Singh are being taken care of by petitioner-Surjeet Kaur. It is thus prayed that the petitioners who are not involved in any other criminal case be afforded the concession of anticipatory bail. They undertake to face the proceedings.

Learned counsel for the State, on instructions from ASI Harjinder Singh, verifies that both the petitioners were residing separately from the deceased and her husband. Co-accused-Baljit Singh is in custody. Petitioners are not reported to be involved in any other criminal case. There are no allegations on behalf of the State that the petitioners are likely to abscond or influence witnesses in any manner.

Keeping in view the facts and circumstances as above, but without commenting upon or expressing any opinion on the merits of the case, these petitions are allowed. Consequently, order dated 01.12.2017 in CRM-M-45666 of 2017, is made absolute.

In the event of arrest of the petitioner-Surjeet Kaur, she be released on bail to the satisfaction of the Arresting/investigating Officer. She shall join investigation as and when called upon to do so and shall also comply with the conditions stipulated in Section 438(2) Cr.P.C.

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.

29.01.2018
s.khan

[LISA GILL]
Judge

Whether speaking/reasoned : Yes/No.
Whether reportable : Yes/No.