

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.50248-2018 (O&M)

Date of decision : 26.11.2018

Surinder Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr.R.S.Athwal, Advocate for the petitioner
Ms.Sunint Kaur, AAG Punjab

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (Oral)

Custody certificate dated 25.11.2018 filed in Court today and same is taken on record.

This order will dispose of application filed by petitioner Surinder Kaur under Section 439 Cr.P.C. for grant of regular bail in FIR No. 73, dated 6.6.2016, under Section 306 IPC at Police Station Goraya, District Jalandhar.

The allegations against petitioner are that one Satnam Singh committed suicide on 13.12.2014. Satnam Singh had allegedly dispatched two letters to police, wherein he stated that he was living with the present petitioner and was having illicit relations with her. All accused also developed illicit relations with his brother's wife and used to make illicit relations with his deceased brother's wife in front of him, beat him and urinate on his mouth. Due to said humiliation, he is committing suicide.

I have heard the learned counsel for parties and have also carefully gone through file.

This Court will not go into merits of allegations since in this case, challan has been presented on 23.10.2018 and any comment made by this Court will influence the trial. Present petitioner was arrested on 29.9.2018. The actual custody period is about 1 month and 27 days. The allegations are of harassing the deceased by beating him and urinating upon his mouth on several occasions. In the suicide note, the dates or approximate time of such incidents is not mentioned. As many as 11 persons are named in suicide note. The merit of case are to be established during trial. Since challan has already been presented, therefore, further detention of petitioner will not serve any purpose. As such, petition is allowed and petitioner is ordered to be released on bail on his furnishing bail bond in the sum of Rs. 50,000/-, with one surety of the like amount, to the satisfaction of trial Court/Duty Magistrate.

26.11.2018*gk***(Kuldip Singh)
Judge**

Whether speaking order : Yes

Whether reportable : No