

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

CRM-M-5784 of 2018

Date of Decision: 21.03.2018

Gurpreet Kaur @ Gurmej Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mrs. G.K. Mann, Advocate
for the petitioner.

Mr. A.S. Dhaliwal, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.117 dated 04.09.2017 registered under Section 306 and 34 of the Indian Penal Code registered at Police Station Bullowal, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner is in custody since 16.11.2017 and report under Section 173 Cr.P.C. has already been submitted and even the charges are yet to be framed.

The above factual position is not disputed by learned State counsel.

Heard learned counsel for the parties and perused the case file.

The allegation in the FIR primarily are that the son of the complainant namely, Jasbir Singh @ Jassu (since deceased) was being harassed by the petitioner on account of the reason that she has lodged

the FIR No. 105 dated 04.10.2016 under Sections 328 and 34 of IPC against the deceased .

Since the investigation is already complete and the petitioner is in custody since 16.11.2017 and moreover the lodging of the FIR or taking recourse of legal proceedings against deceased, prima facie cannot be termed as an abetment to suicide.

In view of the abovesaid circumstances, without expressing any opinion on the merits of the case, this petition is accepted. Petitioner-Gurpreet Kaur @ Gurmej Kaur be admitted to bail on her furnishing bail bonds and surety bonds to the satisfaction of the learned trial Court.

Petition stands disposed off.

[MAHABIR SINGH SINDHU]
JUDGE

March 21, 2018
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Whether speaking/reasoned
Whether reportable?

yes/no
yes/no