

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

CRM-M-8161-2018 (O&M)

Date of decision: 02.04.2018

Paramjit Kaur @ Rani & another

... Petitioners

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. A.K. Sama, Advocate for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Petitioners seek benefit of regular bail pending trial in case F.I.R. No.20, dated 22.07.2017, under Sections 306/34 IPC, registered at Police Station GRP Abohar, District Fazilka.

Counsel for the parties have been heard.

Deceased in the present case is Babu Ram, who is stated to have committed suicide on 12.01.2017 by jumping in front of a train.

The present petitioners are the mother-in-law and brother-in-law of the deceased.

FIR has been registered on the statement of Sukhdev Kumar i.e. brother of the deceased. As per complainant's version, Charanjit Kaur @ Channi i.e. wife of the deceased was in an illicit relationship and inspite of she having been confronted, she continued with such relationship and did not mend her ways. Apparently, there was matrimonial discord and the complainant has stated that Charanjit Kaur @ Channi had left the

matrimonial home about one year prior to the occurrence.

The uncontroverted position is that deceased Babu Ram had instituted a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights and which was pending.

In the FIR, the allegations of harassment etc. are against wife Charanjit Kaur @ Channi. Insofar as the present petitioners are concerned, there are general allegations of harassment.

Prosecution is relying upon a suicide note allegedly left behind by the deceased and in which there are allegations against the present petitioners as also other family members to have acted in connivance and having asked the deceased to give Rs.3 lakhs to his wife Charanjit Kaur @ Channi after selling his house, failing which, he would be implicated in certain false cases.

It is the contention raised by counsel representing the petitioners that even if the contents of the suicide note are taken to be gospel truth, it would be a moot point to be examined by the trial Court as to whether offence of abetment to suicide is made out.

Petitioners were arrested on 31.10.2017.

Investigation in the case is complete and challan has been presented. Even charges have been framed, although no prosecution evidence has led.

Trial, as such, would take time to conclude.

It is not a case made out on behalf of the State that the petitioners, if granted benefit of bail, would be in a position to hamper the course of a free and fair trial.

Without making any observations on merits, present petition is

allowed.

Petitioners be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate concerned.

Petition disposed of.

02.04.2018

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |