

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

CRM-M-1299-2019

Date of decision-17.01.2019

Pamaldeep Kaur

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vivek Goel, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

MANOJ BAJAJ, J.

Pamaldeep Kaur daughter of Albel Singh has prayed for grant of regular bail in case FIR No.22 dated 22.02.2018 under Section 306 of Indian Penal Code registered at Police Station Dharamkot, District Moga.

The FIR was recorded on the statement of Satnam Kaur wife of Vijay Kumar (mother-in-law of the petitioner), with the allegations that her son, namely, Amandeep Singh got married to petitioner about five years before the alleged occurrence, and a son was born out of this marriage. It was further narrated that her daughter-in-law (petitioner) was of quarrelsome nature and used to quarrel with her son. It was mentioned that son of the complainant and her husband were engaged in selling sugarcane juice and eggs on a rehri, whereas daughter-in-law used to compel her son to start separate business with his in-laws family i.e. Albel Singh and his son Charanjit Singh @ Bhappal at Moga. She further alleged that her son used to

tell her that he would commit suicide, but the complainant advised him not to take the extreme step. On 20.02.2018, she made telephonic call to Amandeep Singh, but his phone was switched off. Upon search he was found lying dead in a vehicle with his head on the steering wheel and poisonous smell was emitting out of him.

After investigation, the Police indicted the petitioner as an accused. According to the prosecution, a suicide note was left behind deceased, who died of poisoning.

Learned counsel for the petitioner argued that the accused is a lady, and in custody since her arrest on 18.06.2018, and investigation of the case is complete. It is argued that only Satnam Kaur has been examined and after her testimony an application was filed under Section 319 Cr.P.C, which stands dismissed by the trial Court. It is further argued that allegations levelled in the FIR may not amount to abetment and therefore, it would be debatable as to actually the petitioner has committed the offence as alleged.

On the other hand, learned State counsel opposed the bail application on the ground that deceased had left behind the suicide note wherein name of the petitioner is mentioned. At the same time, it is not disputed by learned State counsel that other persons named in the suicide note were found innocent and no challan was filed against them. Learned State counsel on instructions from ASI Chinnda Singh has submitted that only one witness has been examined so far out of 15 witnesses.

At this stage, learned counsel for the petitioner submitted that the alleged suicide note has not been believed by the prosecution itself as

others have been found innocent.

Petitioner is a lady and considering the fact that the trial may consume more time, further detention of the petitioner is not justified. Therefore, without meaning any expression of opinion on the merits of the case, petitioner is ordered to be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

17.01.2019
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No