

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

CRM-M No.12547 of 2019
Date of decision: 26th March, 2019

Melo Kaur @ Gurmail Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Rishabh Gupta, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J.

Petitioner Melo Kaur alias Gurmail Kaur has come up in this second regular bail application under Section 439 Cr.P.C. in case bearing FIR No.289 dated 18.12.2018 under Sections 306/34 IPC pertaining to Police Station Lehra, District Sangrur, the earlier one having been dismissed as withdrawn vide orders dated 07.02.2019.

The brief allegations have been levelled by father of deceased woman Sandeep Kaur aged around 30 years alleging that marriage between the deceased and Tarsem Singh took place around eight years ago out of which the couple had two kids. It is alleged that the accused started harassing and ill-treating the deceased and in spite of convening the Panchayat the accused did not desist from the same. On 17.12.2018, around 3:00 p.m. the deceased gave a telephonic call to the complainant and told of her plight by the conduct of the accused and confided in her

father that she might be compelled to take some drastic step. The same very evening, it is alleged that the deceased committed suicide by hanging.

Learned counsel for the petitioner Mr. Rishabh Gupta, Advocate inter alia contends that the husband of the deceased who was earlier working as a Granthi, was thrown out of the job and due to poverty and starvation the deceased was compelled to take this step and that neither there is any allegation of abetment to suicide by the petitioner, who is an aged lady, arguing further that she is behind bars since a long time.

On behalf of the State, Mr. A.S. Sandhu, learned Addl. Advocate General, Punjab on instructions from ASI Jagseer Singh, Police Station Lehra, District Sangrur has sought to oppose the grant of bail on the grounds that the first bail application of the petitioner was declined on 07.02.2019 and there is no change of circumstances and that there are specific allegations against the petitioner as well in the commission of crime.

Going through the submissions of the two sides, there are specific allegations and name of the petitioner detailed in the First Information Report by the complainant father. Furthermore, it is there in the allegations that the accused were troubling the deceased and she had telephonically informed the complainant father of her plight and being compelled to take some step in case she is not taken away immediately, and after some time the unfortunate occurrence has taken place. Neither

the learned counsel for the petitioner could convince this Court what fresh ground has arisen in filing the present second bail application when earlier has been withdrawn after arguments, and the apprehension of the State, if allowed bail the petitioner might stifle the trial, is not unfounded. In view of the heinousness of the offence and seriousness of allegations, disentitles the petitioner to any relief. Thus, the petition being without any merit stands dismissed.

(FATEH DEEP SINGH)
JUDGE

March 26, 2019

rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No