

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

CRM-M No.24246 of 2019
Date of decision: 9th July, 2019

Nirmala @ Suman & another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. R.S. Bains, Advocate for the petitioner.

Mr. H.S. Grewal, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J.

Petitioners accused Nirmala alias Suman and Kulwant Kaur, who have been summoned as additional accused with the aid of Section 319 Cr.P.C. in case bearing FIR No.17 dated 04.03.2018 under Sections 302/34 IPC pertaining to Police Station Amloh, have invoked jurisdiction of this Court by way of this first anticipatory bail application under Section 438 Cr.P.C. The present case was got registered by complainant Gurdial Kaur alleging that she was residing with her widowed daughter Baljit Kaur along with her daughter-in-law Kulwant Kaur (present petitioner) and grandson Ravinder Singh and latter's wife Nirmala alias Suman. The complainant alleged that her daughter Baljit Kaur had a bank account and fixed deposit in which the complainant was nominated and when the accused came to know of it, they started quarrelling with her

and it is alleged that on 03.03.2018 the accused present petitioners Nirmala alias Suman and Kulwant Kaur had a tiff with the daughter of the complainant and around 3:30 p.m. the same very day, present petitioners are alleged to have thrown Baljit Kaur on the bed and accused non-applicant Ravinder Singh administered her poisonous substance leading to her death the same very day and registration of the present case the next day.

Learned counsel for the petitioner Mr. R.S.Bains, Advocate inter alia contends that during the course of investigations the petitioners have been initially found innocent and have been subsequently summoned and nothing is to be recovered from them and that the entire story on the face of it appears to be highly unpalusible.

On behalf of the State, Mr. H.S. Grewal, Addl. Advocate General, Punjab on instructions from ASI Kewal Singh, Police Station Fatehgarh Sahib has not displaced the facts brought before this Court but has sought to stoutly oppose the grant of bail on the grounds of seriousness of allegations against the petitioners and that their role in commission of the offence disentitles them to any relief.

Appreciating the arguments of the two sides, admittedly the petitioners were initially found innocent and subsequently summoned under Section 319 Cr.P.C. Nothing is to be recovered from them and culpability, if any, shall be determined at the trial. In view thereof, their joining the trial would suffice the purpose.

Accordingly, the petitioners are directed to appear before the trial Court within seven days from today. On their doing so, they shall be released on bail to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

July 9, 2019
rps

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