

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

**Crl. Misc. No.M-34903 of 2019 (O&M)
Date of Decision: September 02, 2019**

Balwinder Kaur

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gautam Thapar, Advocate
for the petitioner.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 46 dated 15.05.2019 registered for the offences punishable under Section 306 of Indian Penal Code, at Police Station Sadar Gurdaspur, District Gurdaspur.

Heard.

Notice of motion.

On asking of the court, Mr. Avtar Singh Sandhu, Addl. A.G., Punjab, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with him.

As per case of the prosecution, deceased Rachhpal Singh was married with Gurmeet Kaur daughter of petitioner. She was having illicit

relations with Amandeep Singh and due to this reason, both Gurmeet Kaur and deceased Rachhpal Singh were having strained relation.

The allegations against the petitioner is that she had been calling deceased to her village and quarrelled with him.

The petitioner was arrested in this case on 17.05.2019. Wife of the deceased was also arrested in this case, who is stated to have been released on bail by the learned Sessions Judge, Gurdaspur, while third accused Amandeep Singh has been allowed pre-arrest bail vide order dated 11.07.2019 passed in CRM No. M-26717 of 2019.

Keeping in view the above facts and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Balwinder Kaur is ordered to be released on regular bail on her furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. She shall not leave the country without the prior permission of the Court.

September 02, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE