

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

CRM-M-42680-2019 (O&M)

Date of Decision:- 8.11.2019

Amar Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Harsh Chopra, Advocate for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab

GURVINDER SINGH GILL, J.

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of FIR No. 61, dated 12.5.2019, registered at Police Station Maqsudan, District Jalandhar, under Sections 304-B, 34 IPC.
2. The FIR was registered at the instance of Baljit Kaur step mother of the deceased wherein it is alleged that her daughters Hardeep Kaur and Kirandeep Kaur were married to two brothers namely Jaswinder Singh and Jaswant Singh respectively. It is alleged that the husbands of her daughters as well as their mother-in-law Amar Kaur however, used to harass her daughters in order to press upon their demands of dowry, due to which her daughter Hardeep Kaur used to remain disturbed. It is alleged that on 6.5.2019 when she had gone to visit her daughters, her son-in-law Jaswant

Singh had returned from Dubai on the said day and she requested him not to press upon their demands of dowry. It is alleged that on the next day i.e. 7.5.2019, while she was at her home, she received a call from the matrimonial village of her daughters asking her to reach there immediately and when she went there she saw that her daughter Hardeep Kaur was lying dead in the courtyard. It is alleged that Hardeep Kaur, being fed-up by her husband Jaswinder Singh, brother-in-law Jaswant Singh and mother-in-law Amar Kaur had committed suicide or she had been killed by them.

3. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case merely on account of the fact that she happens to be mother-in-law of the deceased whereas it is a case where the deceased has committed suicide not on account of any harassment but on account of some other circumstances which had seriously affected her.
4. The learned counsel for the petitioner has submitted that infact the sister of the deceased namely Kirandeep Kaur, who was also married in the same house to one of the sons of the petitioner admittedly knew one Sukhraj Singh since the last 4-5 years, as had been admitted by her in her petition filed in this Court i.e. CRM-M-20830 of 2019 (Annexure P-4) when she along with Sukhraj Singh approached this Court seeking protection despite the fact that said Kirandeep Kaur was already married to son of the petitioner namely Jaswant Singh. The learned counsel has submitted that Hardeep Kaur, being daughter-in-law of the same house committed suicide being ashamed by the aforesaid conduct of his sister who was also married in the same house, but had eloped with aforesaid Sukhraj Singh.

5. Opposing the petition, the learned State counsel has submitted that since the petitioner is specifically named in the FIR and specific allegations have been levelled against the petitioner no case for grant of bail is made out.
6. I have considered rival submissions addressed before this Court.
7. Keeping in view the fact that it is a case where the cause of death has been opined to be due to hanging necessarily indicating that the deceased had committed suicide and that the veracity of the allegations levelled in the FIR is yet to be established, given the fact that the deceased could also have been affected by some other disturbing circumstances in the family including elopement of his sister who was married in the same family, and also that the petitioner, who is a lady, has since joined investigation and is no longer required by the investigating agency, the petition is accepted and the interim directions issued by this Court vide order dated 7.10.2019 are hereby made absolute subject to the condition that the petitioner shall continue to appear before the Investigating Officer as and when called upon to do so and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
8. It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

8.11.2019

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No