

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

CRM-M-3791-2020

Date of decision-04.02.2020

Harpreet Kaur

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Salil Dev Singh Bali, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Harpreet Kaur has preferred this petition under Section 439 Cr.P.C for grant of regular bail in case FIR No.40 dated 27.03.2019 registered under Section 306 read with Section 34 of Indian Penal Code, 1860 at Police Station Guruhar Sahai, District Ferozepur. The petitioner is in custody since her arrest on 29.03.2019.

The FIR was registered on the basis of the statement of complainant, namely, Darshan Singh son of Ganda Singh wherein it was alleged that complainant's elder son Jagga Singh was married to Harpreet Kaur (petitioner) and she had illicit relations with one Jassa Singh who used to forcibly take her from complainant's house due to which Jagga Singh was under stress. On 26.03.2019, Jassa Singh came to Jagga Singh and asked him to leave his wife alone. He insulted Jagga Singh and gave him beatings also. As a result, Jagga Singh (husband of petitioner) felt insulted and consumed some poisonous substance and died later on. On these broad

allegations, FIR was registered.

Learned counsel for the petitioner contends that the act of suicide by victim-Jagga Singh was a voluntary act on his part and the petitioner cannot be attributed any abetment. He submits that the FIR is based on suspicion alone and the investigation is complete as the final report was filed on 24.05.2019. He submits that the petitioner is confined in judicial custody and therefore, her further custody may not be necessary.

On the other hand, learned State counsel assisted by SI Chand Gir opposed the bail application on the ground that the petitioner had driven the victim to take the extreme step of ending his life. She does not dispute this fact that the investigation of the case is complete, however, no witness has been examined so far.

Considering the above background and the fact that the trial of the case is likely to consume considerable time as prosecution has to examine 17 witnesses, therefore, this Court is of the opinion that further detention of the petitioner, who is a lady, may not be necessary. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner 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

04.02.2020

vanita

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