

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

207

CRM-M-17473-2020 (O&M)

Date of decision : 21.07.2020

Kaushalya

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Jagjit Singh Gill, Advocate
for the petitioner.

Mr. A.A. Pathak, Addl. A.G. Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

CRM-14998-2020

Prayer in the application filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') is for exemption from filing the court fee during the outbreak of Covid-19.

In view of the lock down restrictions imposed to prevent spread of Covid-19 and the reasons mentioned in the application, the same is allowed and the petitioner is exempted from filing the court fee as prayed for and the same be filed within one week from the date of resumption of normal working.

CRM-M-17473-2020

The petitioner has filed present petition under Section 439 of the Cr.P.C. for grant of regular bail to him in case FIR No.170 dated 10.10.2019 registered under Sections 306 and 149 of the Indian Penal Code, 1860 at Police Station Jaitu, District Faridkot.

The above-said FIR was lodged by Sheena who alleged in her statement that they are two sisters and one brother. Her sister Nooran was married with Sukhwinder Singh and her brother Buta Singh was married with Neetu for the last 13/14 years. She got divorce

from her husband Mangu about 10 years back. Her brother Buta Singh had three children. Her brother Buta Singh had dispute with his wife due to which her sister-in-law Neetu left the matrimonial home and did not come back despite efforts made in Panchayat. Her brother Buta Singh became mentally upset and committed suicide on 10.10.2019. Ramesh Kumar father-in-law, Kaushalya mother-in-law, Veeru brother-in-law and Usha sister-in-law were not allowing Neetu to settle in her matrimonial home due to which her brother Buta Singh committed suicide. The police investigated the case and filed charge-sheet against all the above-said persons.

The petitioner, who is in custody since 11.10.2019, has filed the present petition for grant of regular bail.

Petition has been opposed by learned State Counsel. However, no reply has been filed by respondent-State.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. General and vague allegations have been made against the petitioner. There was no abetment on the part of the petitioner for Buta Singh to commit suicide. Buta Singh committed suicide due to alleged misbehaviour on the part of his wife. Trial is likely to take long time and no useful purpose will be served by keeping the petitioner in custody. Co-accused Veeru and Usha have been granted bail by this Court vide order dated 04.03.2020 and co-accused Ramesh Kumar has been granted bail by this Court vide order dated 11.06.2020. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has argued that the allegations against the petitioner are serious. In view of gravity of offence committed, the petitioner does not deserve the concession of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation against the petitioner, period of her custody and parity of the case of the petitioner with that of her similarly placed co-accused Veeru, Usha and Ramesh Kumar who have been granted

regular bail by this Court vide order dated 04.03.2020 and 11.06.2020 respectively and the fact that trial is likely to take long time but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of requisite bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

21.07.2020

Kothiyal

(ARUN KUMAR TYAGI)
JUDGE

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