

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

CRM-M No.21431 of 2019 (O&M)

Date of decision: 16.03.2020

Neeru Bhamra

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Navkiran Singh, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. G.S. Brar, Advocate
for the complainant.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.10 dated 23.02.2019 registered under Section 306 IPC at Police Station Maqsudan, District Jalandhar.

Counsel for the petitioner has argued that as per the allegations in the FIR, registered on the statement of Amarjit Singh, father of the deceased husband of the petitioner, it is stated that he is a businessman and his son Harkamaljit Singh aged about 27 years was running a business of Paint. He got married to the petitioner on 20.01.2019 and thereafter, both of them went to Malaysia and Singapore on a tour. On return, the husband of the petitioner informed the brother-in-law of the complainant namely Surjit Singh that the petitioner has harassed him and he had made a mistake by marrying her. Thereafter, on 23.02.2019 Harkamaljit Singh committed suicide by hanging himself with a ceiling fan. It is further submitted that,

thereafter, the police recovered the suicide note in which Harkamaljit Singh has alleged that the petitioner had caused harassment and was threatening him. It is also alleged that she was not doing any domestic work by saying that she is not a servant and she used to talk to her old friends out of which there was a boy named Dilbag Singh, who is in Canada and one person was lodged in a Jail. It is also stated that she was having some extra-marital affair with one Gopi Bajwa and on that account, she was harassing him and threatening to defame the deceased due to which he committed suicide.

Counsel for the petitioner has further argued that the petitioner is in custody since 23.02.2019 and the case is at the stage of recording the evidence of the prosecution and out of 18 PWs, 06 PWs including the complainant and all other family members of the complainant, have already been examined and there is no possibility of extending any threat to the prosecution witnesses.

Counsel for the complainant has, however, argued that the complainant was receiving threatening calls from unknown persons and on that account, he has registered a complaint with the police.

Counsel for the State, on instructions from DSP Surinderpal Singh, has filed the affidavit of the Senior Superintendent of Police, Jalandhar (Rural) and as per the affidavit, a team of police official was sent to Tamilnadu and Manipur for verifying the details of mobile phones from where the calls were received by the complainant party, however, nothing substantive could be find and the said complaint is now referred to the Cyber Crime and in this regard, a Rapat No.20 dated 11.03.2020 under Section 506 IPC has already been registered. Counsel for the State has further submitted that 06 PWs

have been examined before the trial Court including the complainant.

Without commenting anything on merits of the case, considering the fact that the petitioner is in custody since 23.02.2019; all the material witnesses including the complainant have been examined and the conclusion of the trial will take long time, this petition is allowed and the petitioner is directed to be released on bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case she is found involved in any other case or misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

16.03.2020
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No