

CRM-M-24111-2020 (O&M)
Date of decision: 04.12.2020

Jaswinder Kaur

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Lakhwinder Singh Lakhanpal, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

Due to outbreak of pandemic COVID-19, the instant case
is being taken up for hearing through video conferencing.

Heard.

Notice of motion to the official respondent-State.

Mr. Jagmohan Ghuman, DAG, Punjab puts in appearance
and accepts notice on behalf of the official respondent-State. Copy
supplied.

The petitioner-Jaswinder Kaur who happens to be
mother-in-law of deceased-Inderjit Kaur, has come up in this third
regular bail application under Section 439 Cr.P.C. in a case bearing
FIR No.90 dated 14.04.2018 under Sections 304-B/34 of the Indian

Penal Code registered at Police Station Sadar Phagwara, District Kapurthala.

The allegations are that as a consequence of marriage between the deceased and Harjinder Singh, son of the present petitioner on 17.01.2018, a matrimonial dispute arose between the couple as a consequence of which, the FIR was lodged on 14.04.2018. The allegations are that the deceased was found dead due to asphyxia, leading to the registration of the present case.

Learned counsel for the petitioner *inter alia* contends that the petitioner is behind the bars for more than 02 years 08 months. It is further argued that similarly placed co-accused, sister-in-law and father-in-law, have been allowed bail and that the petitioner is not keeping good health.

The learned State counsel though does not displace the facts but has strongly opposed the grant of bail on the grounds of heinousness of the offence and seriousness of the allegations.

Be so as it may, keeping in view the period of incarceration and the fact that on account of COVID-19 situation, the petitioner, being a aged lady and in view of the co-accused have already been allowed bail by this Court, impels this Court to allow the present bail application. Accordingly, the petitioner is ordered to be released on regular bail to the satisfaction of Chief Judicial Magistrate/Duty Magistrate.

The petition stands disposed off accordingly.

04.12.2020

Neha

(FATEH DEEP SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No