

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-31019-2020 (O&M)
Date of Decision:- 2.12.2020

Sukhdeep Kaur ... Petitioner
Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Manuj Nagrath, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Bhupinder Singh.

Mr. Varun Dhawan, Advocate for the complainant.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered vide FIR No.31, dated 13.2.2020, Police Station Sadar Jagraon, Ludhiana Rural, District Ludhiana, under Sections 306 and 120-B IPC.
2. The FIR was lodged at the instance of Prem Singh, wherein it is alleged that marriage of his younger son Sukhbir Singh was solemnized with Sukhdeep Kaur on 28.10.2018 but somehow there was some kind of matrimonial discord amongst them and although they tried to resolve the same by associating the family of Sukhdeep Kaur but to no avail. It is alleged that Sukhdeep Kaur was having

illicit relations with *Panch* Sarabjit Singh and the said fact was brought to the notice of her family but instead of asking her to mend ways, they found faults with the complainant's son and on account of which complainant's son used to remain mentally upset. It is further alleged that subsequently a complaint was also made by Sukhdeep Kaur in the Women Cell, Jagraon, where the complainant and others were not heard properly which further led to the complainant's son being mentally upset. It is alleged that the complainant's son being fed up with the conduct of his wife, who was having illicit relations ultimately ended his life.

3. The learned counsel for the petitioner has submitted that under no circumstances it can be said that it is the petitioner who had abetted the commission of suicide and that in fact the death of complainant's son has been made an excuse to implicate as many as nine members of the family of the petitioner.
4. Opposing the petition, the learned State counsel assisted by learned counsel for the complainant has submitted that since the petitioner is the prime accused against whom there is specific evidence to the effect that she was having some kind of illicit relations which led to the deceased being mentally upset and ultimately leading to his death, no case for grant of bail is made out. The learned State counsel has, however, informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that he is not required for any custodial interrogation.

5. Having regard to the aforestated facts and circumstances wherein it would be debatable as to whether the petitioner indeed had abetted the commission of suicide or had played any instrumental role in his death and while also bearing in mind that the petitioner has since joined investigation, her custodial interrogation is not required. The petition, as such is accepted and the interim directions issued vide order dated 5.10.2020 are hereby made absolute subject to the condition that the petitioner shall appear and join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

December 2, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No