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

Date of Decision: 17.11.2020

1. CRM-M No.32681 of 2020(O&M)

Kamaljeet Kaur	Petitioner
Vs	
State of Punjab	Respondent

2. CRM-M No.33485 of 2020(O&M)

Veerpal Kaur and another	Petitioners
Vs	
State of Punjab	Respondent

3. CRM-M No.34846 of 2020(O&M)

Jasvir Kaur	Petitioner
Vs	
State of Punjab	Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Anutej Singh Barnala, Advocate
for the petitioners.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

Mr. T.S. Punia, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

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

Vide this common order, CRM-M No.32681 of 2020

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titled Kamaljeet Kaur Vs. State of Punjab, CRM-M No.33485 of 2020 titled Veerpal Kaur and another Vs. State of Punjab and CRM-M No.34846 of 2020 titled Jasvir Kaur Vs. State of Punjab are being disposed of. Since all the aforesaid cases have arisen from same FIR, therefore, common facts are being noticed.

Prayer is for grant of anticipatory bail in case bearing FIR No.102 dated 28.09.2020 registered under Sections 306, 34 IPC at Police Station Mehal Kalan, District Barnala.

Petitioner Jasvir Kaur is mother-in-law of deceased Gurpreet Kaur @ Sukhpreet Kaur. Kamaljeet Kaur is sister-in-law (nanand) of the deceased. Veerpal Kaur is sister-in-law (devrani) of the deceased, whereas Paramjit Singh is brother-in-law (devar) of the deceased. The FIR was registered at the instance of Kulwant Singh/complainant who alleged that his eldest daughter Gurpreet Kaur @ Sukhpreet Kaur was married to Nirmal Singh. She along with her husband was living separately in the same house where other family members were living. They had separate kitchen. The allegations are that the accused/petitioner were demanding a sum of Rs.3 lacs for the room in which the deceased along with her husband Nirmal Singh was staying. The accused wanted them either to pay the aforesaid amount of Rs.3 lacs or vacate the room where the

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husband of the deceased was having 1/3rd share in the property. Further allegations are that the deceased informed the complainant about the mental torture given to her by the accused for vacating the room in question. On 27.09.2020 also the deceased made a phone call to the complainant and narrated the conduct of the accused of forcing her to vacate the room in question.

Notice of motion was issued in all the aforesaid cases on the contention that the accused had demanded a sum of Rs.3 lacs from the deceased and her husband or to vacate the premises. There is no suicide note left by the deceased. The ingredients of offence under Section 306 IPC would remain debatable.

Learned counsel for the complainant asserted that the deceased was continuously harassed for an amount of Rs.3 lacs for the accommodation in possession of her husband. The accused were also pressurizing the deceased to vacate the premises in the absence of such payment. The deceased took last decision and eliminated herself by consuming some poison due to the harassment meted to her by the accused persons.

Learned State counsel on instructions from ASI Gursimaranjit Singh stated that in pursuance of the interim directions passed by the High Court, the petitioners have joined

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the investigation on 04.11.2020 to the satisfaction of the Investigating Officer. Petitioners are not required for any further investigation of the case.

In order to constitute an offence under Section 306 IPC, there has to be a concerted effort on behalf of the accused to abet the commission of offence under Section 306 IPC. The assertion made by the complainant and denial thereof by the accused party would be subject to quality of evidence to be led by the parties during trial.

At this stage, no such final opinion can be made in respect of complicity of the petitioners. Since the petitioners have joined the investigation to the satisfaction of the Investigating Officer, therefore, it would be just and appropriate to confirm the interim bail(s) granted to the petitioners. However, petitioners are directed to join the investigation as and when required to do so by the Investigating Officer and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

All the petitions are accordingly disposed of.

(RAJ MOHAN SINGH)
JUDGE

17.11.2020
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No