

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

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CRM-M No.35885 of 2020
DATE OF DECISION : 4th NOVEMBER, 2020

Rajinder Kaur

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court

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Present : Mr. Preetinder Singh, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.173 dated 24.09.2020 registered under Section 306 IPC at Police Station Kalanaur, District Gurdaspur.

It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted; for motivated reasons. The deceased in the case is none other than the husband of the petitioner. The petitioner would be the last person to desire the death of her own husband. The deceased has not left behind any suicide note. Even as per the allegations, except there being an allegation of a matrimonial discord between her and her husband, there are no specific allegations against the petitioner. The petitioner is having four year old daughter from the deceased husband. Hence, the petitioner has no reason or occasion to

abet the husband to commit suicide. The counsel has also submitted that the petitioner would join the investigation. Hence, the petitioner deserves to be protected against her arrest.

Notice of motion.

Mr. Dhruv Dayal, Sr. DAG, Punjab, accepts notice on behalf of the State.

The learned State Counsel, being instructed by ASI Harminder Singh, has submitted that there are specific allegations against the petitioner. However, it is not disputed that except the allegation of matrimonial discord between the petitioner and her deceased husband, there are no specific allegations against the present petitioner; qua abetment to commit suicide. It is also not disputed that the petitioner is having four years old minor daughter from the deceased husband.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of her arrest, the petitioner shall be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of Arresting/Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

4th NOVEMBER, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>