

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

CRM M-54848 of 2019
Date of Decision: January 09, 2020

Randeep Kaur @ Ninder	Versus	Petitioner
State of Punjab		 Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Surinder Thakur, Advocate
for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

FATEH DEEP SINGH, J. (Oral)

The allegations against petitioner Randeep Kaur @ Ninder in this second regular bail application under Section 439 Cr.P.C. moved in case FIR No. 80 dated 28.07.2019 under Section 306 IPC registered at Police Station Hariana, District Hoshiarpur have come about from complainant-Surjit Kaur. The insinuations are that deceased Jasvir Kaur was married to Baljinder Singh and the latter developed amorous relations with neighbour Randeep Kaur @ Ninder, the present petitioner. On account of which, there often used to be dispute between the

couple. It is alleged that on 27.07.2019 around 11.00 p.m. after an altercation between the couple, the deceased faced with such an ignominy consumed some poisonous substance leading to her death on the same very day.

Mr. Surinder Thakur, learned counsel for the petitioner *inter alia* contends that neither there is any attribution to the petitioner in the commission of the offence nor there is any evidence to connect her with the same and that the petitioner is behind the bars for more than 04 months.

Mr. C.L. Pawar, Sr. DAG, Punjab assisted by SI Satnam has fairly conceded to the facts brought to the notice of the Court by the learned counsel for the petitioner but opposed the grant of bail on the ground that the trial is under way.

Going through the submissions, the petitioner admittedly is behind the bars for more than 04 months. To the specific query of the Court, learned State counsel does not deny the fact that there is no semblance of evidence except the fact that there was a amorous relationship between the husband of the deceased and the petitioner. Thus, very question and element of abetment to suicide qua the petitioner is a debatable issue which can only be adjudicated at the trial which is not likely to be accomplished in near future. Thus, this Court is of the opinion that it is a fit case for grant of bail. Accordingly, the petitioner is ordered to be released on regular bail to the

satisfaction of Chief Judicial Magistrate/Duty Magistrate, concerned.

However, it is made clear that anything observed herein shall not be construed as an expression on the merits of the case.

Disposed off.

January 09, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking	:	Yes/No
Whether reportable	:	Yes/No