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

**CRM-M No.783 of 2021 (O&M)
Date of Decision: 17.02.2021**

SUKHPAL KAUR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

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

Present: Mr. Hitesh Verma, Advocate
for the petitioner.

Mr. Manreet Singh Nagra, Asstt. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral

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

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.245 dated 15.11.2020, registered under Section 306 IPC at Police Station Sadar Bathinda, Distt. Bathinda.

As per allegations the petitioner (wife of the deceased Jeet Singh) was having illicit relations with four persons namely Pappu Singh, Buta Singh, Baljinder Singh @ Moogri and Angrej Singh. Complainant is real brother of the deceased, who alleged

that about 10 days prior to the occurrence, the petitioner and her sons namely Sukhpreet Singh and Baljinder Singh in connivance with the aforesaid four persons gave beatings to Jeet Singh. Jeet Singh remained upset on account of the beatings and ultimately he committed suicide. On 14.11.2020, when he did not come to the house, the complainant found his dead body hanging with a tree in the fields of Harbans Singh.

Learned counsel for the petitioner submitted that the relationship between the petitioner and her husband was very smooth. On 12.11.2020, petitioner along with her daughter and son came to village Bhaini Bagha for meeting her relatives. In this connection, there is a material in the form of letter issued by the Gram Panchayat that the petitioner had come to village Bhaini Bagha before death of Jeet Singh. Petitioner and her children have been falsely implicated by the complainant Roshan Singh in connivance with Ex. Sarpanch Jasuttam Singh. Petitioner was arrested on 18.11.2020. Other accused are on interim anticipatory bail.

Learned counsel further submitted that ingredients of offence under Section 306 IPC are not attracted as there was no concerted effort on behalf of the petitioner to abet the offence in question to the hilt.

Learned State counsel however opposed the bail on

the ground that the complainant has specifically alleged the illicit relation of the petitioner with four persons and the incident of giving beatings to the deceased.

Having heard learned counsel for the parties, I find that the complicity of the petitioner would remain debatable at the threshold of ingredients of offence under Section 306 IPC.

In view of above, without meaning anything on merits of the case and in view of the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail. Petition is allowed. Petitioner is ordered to be released on bail, subject to her furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

February 17, 2021

Atik

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)
JUDGE**

Yes/No

Yes/No