

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

CRM-M-1018-2021

Date of decision:20.04.2021

Sukhwinder Kaur alias Goldy

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Sangram S. Saron, Advocate for the petitioner.

Mr. H.S. Sitta, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Status report by way of short affidavit dated 16.02.2021 of Superintendent of Police, Sub Division Phillaur, District Jalandhar (Rural) along with Annexures R-1/T, R-2 and R-3, filed in the Registry, is taken on record.

Custody certificate by way of an affidavit dated 19.04.2021 of Superintendent, Central Jail, Kapurthala, filed through e-mail, is also taken on record.

This is the second petition for grant of regular bail in case bearing FIR No.206 dated 08.06.2019 registered under Sections 306, 34 and 302 (added later on) IPC at Police Station Phillaur, District Jalandhar Rural.

Learned counsel for the petitioner states that the petitioner is a lady, who has falsely been involved in the present FIR. She is the wife of deceased-Khushpal Singh alias Pala, who has committed suicide and complainant Gurmail Singh is his brother. The petitioner has been in custody since 08.06.2019. It is further stated that co-accused-Lovepreet alias Labha has been granted regular bail by Additional Sessions Judge, Jalandhar, vide order dated 12.02.2020 (Annexure P-9). It is further stated that there is no internal or external injury on the person of the deceased. It

is further stated that as per the FIR, the deceased was fed up from his wife (petitioner) and ended his life by consuming some poisonous substance. However, no poison has been detected. It is further stated that initially the present FIR was registered under Sections 306 and 34 IPC but later on Section 302 IPC was added on the statement of one Avtar Singh, neighbour of the deceased, who has heard the alleged noises from the house of the deceased.

Learned State counsel, while opposing the prayer for regular bail, has not disputed the factum of custody period of the petitioner. He further states that the petitioner has played an active role in the commission of the crime. It is further stated that the petitioner has illicit relation with co-accused Harpreet Singh alias Manga.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 08.06.2019. The trial will take time to conclude. Thus, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail to the satisfaction of the learned trial Court/Duty Magistrate.

20.04.2021
ishwar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No