

212

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-18471-2021 (O&M).
Decided on: October 29, 2021.

Parminder Kaur

.. Petitioner

VERSUS

State of Punjab

.. Respondent

* * *

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

* * *

**PRESENT Mr.Arshdeep Singh Brar, Advocate,
for the petitioner.**

Mr.Karanbir Singh, AAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure, seeking regular bail in FIR No.21 dated 12.2.2021, under Sections 341 and 306/34 IPC registered at Police Station Nihal Singh Wala, District Moga.

Learned counsel for the petitioner has submitted that the petitioner is in custody since 14.2.2021 and investigation of the case is already complete and challan has been presented. He has submitted that the

petitioner is a lady aged 35 years and is facing incarceration for the last about 8 months and the trial of the case would take long time and therefore, she may be considered for the grant of regular bail. He has further submitted that even otherwise also ingredients of Section 306 IPC are not fulfilled in the present case as a bare perusal of the FIR would show that suicide was committed on the basis of allegations of harassment which does not constitute offence of abetment to commit suicide.

Learned State counsel has submitted that it is correct that the petitioner is in custody since 14.2.2021 and investigation of the case is already complete and challan has been presented. However, he has opposed the grant of bail on the ground that on account of harassment caused by the petitioner her husband had committed suicide.

I have heard the learned counsel for the parties.

The petitioner who is a lady aged 35 years is in custody since 14.2.2021 i.e. for the last more than 8 months. Investigation of the case is already complete and challan has been presented. No recovery is to be effected from the petitioner as per the learned State counsel. Furthermore, it is not the case of the State that in case the petitioner is released on bail then she may influence any witness or tamper with evidence or may flee from justice.

Therefore, keeping in view the totality of circumstances of the present case, this Court deems it fit and proper to grant regular bail to the petitioner. Accordingly, the present petition is allowed. It is ordered that the petitioner shall be released on bail on furnishing bail bond/surety bond to the satisfaction of the trial Court/Duty Magistrate concerned.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

Since the main case has been decided, pending misc. applications, if any, shall also stand disposed of accordingly.

October 29, 2021.
raj arora

(JASGURPREET SINGH PURI)
JUDGE

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