

210

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18485-2021 (O&M)
Date of Decision: 27.07.2021

Manpreet Kaur

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Mohit Garg, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.40 dated 11.03.2021 registered under Sections 306/34 IPC at Police Station City Sangrur, District Sangrur. The petitioner is in custody since her arrest on 15.03.2021.

The FIR was registered on the basis of statement of Sanjay Bansal and the allegations noticed by the Addl. Sessions Judge, Sangrur in the order dated 15.04.2021, while declining the bail application of petitioner, read as under:

“As per allegations of prosecution, Tarlochan Kumar alias Bhola was the brother of complainant Sanjay Bansal. Both the brothers i.e. complainant Sanjay Bansal and Tarlochan Kumar were residing in different houses. On 19.01.2021 Tarlochan Kumar married to Manisha Rani daughter of Inder Singh. After about 20 days, Mandeep Kaur, mother in law of Tarlochan Kumar, came to the house of Tarlochan Kumar in order to meet her son-in-law and daughter. In the absence of Tarlochan Kumar, that Manisha Rani wife of Tarlochan Kumar and her mother Mandeep Kaur in connivance with each other had taken away gold jewellery and other necessary items from the house of Tarlochan Kumar brother of complainant. Tarlochan Kumar went to the house of his in-laws in order to take back his wife Manisha Rani,

however, Manisha Rani (sister in-law of complainant), Mandeep Kaur (mother of Manisha Rani), Lovepreet Singh (brother-in-law of Tarlochan Kumar) started scuffling with Tarlochan Kumar and they refused to hand over gold jewelery and necessary documents and they instead threatened Tarlochan Kumar for registration of a false case of rape upon him. On that day, Tarlochan Kumar came back being harassed from the family members of his in-laws. Complainant disclosed entire version to his family members and panchayat of village Ravidasspura Tibbi. Thereafter, both the parties have filed applications against each other before Police Station City Sunam. In connection with such applications, Tarlochan Kumar and his family members visited the police station and similarly from the side of accused person Manisha Rani, her mother Mandeep Kaur, Lovepreet Singh (brother-in-law of Tarlochan Kumar, unknown lady i.e. maternal Aunt (Maasi) of Manisha Rani wife of Sukhwinder Singh and maternal uncle Sukhwinder Singh son of Jang Singh also came to Police Station. Thereafter , efforts were going on between the parties for the sake of compromise, but to no avail. These parties were also appeared before Incharge of Women Cell, Sangrur and DSP, but nothing positive had come out.”

Learned counsel for the petitioner has argued that victim Tarlochan Kumar got married to Manisha Rani on 19.01.2021 and later, a matrimonial dispute erupted. According to him, as the parties were mediating to make an attempt to arrive at a compromise, the victim ended his life and on the basis of the complaint given by Sanjay (brother of the victim), the petitioner, who is aunt of Manisha has been falsely implicated along with others. Learned counsel has further submitted that as the investigation of the case is complete, therefore, further custody of the petitioner may not be necessary.

The prayer is opposed by learned State counsel assisted by ASI Sukhwinder Singh and argued that the victim had left behind a video clipping narrating his compelling circumstance to end his life, as the accused were demanding money from him. According to him, this had driven the victim to end his life, however, it is not disputed that the final

report has been filed.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete and the trial is likely to take some time to conclude. Admittedly, the petitioner is presently confined in judicial custody since 15.03.2021, therefore, her further detention may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate Sangrur.

The petition is allowed.

27.07.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No