

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 21904 of 2021

Date of Decision: 09.7.2021

Jaismeen Kaur @ Ginni

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Himanshu Arora, Advocate
for the petitioner.

Mr. B.S.Sewak, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No. 126 dated 16.8.2018 under Section 304 IPC registered at Police Station 'B' Division, District Amritsar.

Custody certificate by way of affidavit of Deputy Superintendent, Central Jail, Amritsar has been filed through e-mail. Copy of the same is taken on record.

Learned counsel for the petitioner submits that the petitioner and the complainant are the real sisters; that the petitioner lost her husband and thereafter shifted to her mother's place; that it was at the spur of the moment, the petitioner got angry with her mother and pushed her, who fell on the bed and died in that scuffle; that the petitioner has been in custody for the last 02 years, 10 months and 19 days; and that no prosecution

witness has been examined till date.

On the other hand, learned State counsel submits that the petitioner all the way had been pressing her mother on account of demand of money; that after losing her husband, she was residing with her mother; that the atmosphere of the house was not appropriate; and that it was due to the push given by the petitioner, her mother died and, therefore, the petitioner does not deserve the concession of regular bail.

I have heard the learned counsel for the parties.

As per the allegations in the FIR, the petitioner pushed her mother, who fell on the bed and become unconscious. The petitioner is the daughter of the deceased and the complainant is the real sister of the petitioner. The petitioner had lost her husband and was residing with her mother. As per the custody certificate, the petitioner has been in custody for the last 02 years, 10 months and 19 days. The prosecution witnesses are yet to be examined. The trial will take time to conclude because of Covid-19 pandemic. No useful purpose would be served by keeping the petitioner behind the bars.

Without commenting anything on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

July 09, 2021
Gurpreet

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