

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

CRM-M-22627-2021

Date of decision : 25.06.2021

Lachmi

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present: Mr. Jagjit Singh Gill, Advocate
for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

RAJESH BHARDWAJ, J. (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

The present petition is filed under Section 439 Cr.P.C. by petitioner Lachmi seeking grant of regular bail in case FIR No.0049 dated 20.03.2021 registered under Section 306 of the Indian Penal Code at Police Station Anaj Mandi Patiala, District Patiala.

The FIR has been registered on the statement of Ajit Singh, who is the father of deceased, Amandeep Verma @ Deepu. It has been alleged by the father that his son Amandeep Verma @ Deepu was married with Gouri on 24th October, 2017. He further alleged that the wife and her family members used to harass his son and due to the same he committed suicide by hanging. On the basis of alleged suicide note of the deceased, the accused was arrested.

Learned counsel for the petitioner contends that the petitioner is

sister-in-law of the deceased and she had no role whatsoever in his family

affairs and has been falsely implicated on the basis of forged and fabricated suicide note. He further contends that the petitioner is behind the bars along with her 2 ½ years child. Challan in the case has already been presented and therefore, incarceration of the helpless petitioner behind the bars along with the young child is totally unwarranted. He undertakes that the petitioner will abide by the terms and conditions of the bail in case the Court consider granting her bail.

Learned State counsel has placed on record the custody certificate of the petitioner which shows her custody as 03 months and 03 days upto 25th June, 2021 and there is no other case pending against her. He does not dispute the factum of filing of challan and the presence of the young child with the petitioner in the jail. However, he opposes the prayer of bail.

In the totality of the facts and circumstances of the case where the challan has already stands presented and the petitioner is the sister-in-law of the deceased, I find myself in agreement with the arguments raised by the counsel for the petitioner that any further incarceration of the petitioner is not warranted in the case. The present 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, Patiala. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

(**RAJESH BHARDWAJ**)
JUDGE

25.06.2021
m. sharma

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No