

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

**CRM No.M-32279 of 2021 (O&M)
Date of Decision: September 03, 2021**

Surinder Kaur

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Charanpreet Singh, Advocate
for the petitioner.

Mr.H.S.Sullar, DAG, Punjab
for the respondent-State.

Mr.A.P.S.Tung, Advocate
for the complainant.

ARCHANA PURI, J.

The matter has been taken up through video conferencing in the light of COVID-19 pandemic.

The petitioner has filed this second petition under Section 439 Cr.P.C. for seeking regular bail in case FIR No.233 dated 18.12.2020 under Sections 306, 120-B, 506 and 201 IPC, Police Station Mataur, District SAS Nagar (Mohali).

Heard on the bail petition.

Custody certificate of the petitioner has been filed and the same is taken on record.

Singh s/o Surmukh Singh, who is brother of deceased Bahadur Singh. As per version of the prosecution, Bahadur Singh (deceased) was married to Manmeet Kaur. Two children were born from the said wedlock. Both Bahadur Singh and his wife had gone to Australia and after staying there for three years, they had returned back to India. Manmeet Kaur had developed illicit relations with one Jaswinder Singh @ Jassi. When objection was raised by her husband to this relationship, she proclaimed that she will reside with Jaswinder Singh @ Jassi only. Even, the illicit relationship of Manmeet Kaur was brought to the notice of her parents as well as maternal uncle Bittu, cousin Harpreet Kaur and her husband Vikram Singh and they had apprised him that Manmeet Kaur shall stay with Jaswinder Singh @ Jassi and also threatened not to spare him, in case, he raises this issue.

On 17.12.2020, Bahadur Singh had informed the complainant (his brother) on phone, that he has consumed some poisonous substance and he is about to die. During the course of treatment in the hospital, Bahadur Singh had died, on the next day.

Petitioner Surinder Kaur is mother-in-law of the deceased. It is now submitted by learned counsel for the petitioner that even though, in the suicide note, allegedly written by deceased Bahadur Singh, he has stated about Surinder Kaur to be also responsible for his death but however, he has not assigned any specific role to the petitioner qua her abetment and instigation to Bahadur Singh to commit suicide. Also, it is submitted that challan has been presented on 07.04.2021 but till date, only one witness i.e. complainant has been examined. Certified copy of statement of the complainant has been placed on record as Annexure P-2. Further, it is

and Mohan Singh have already been granted benefit of regular bail.

On the contrary, learned State counsel has resisted the claim for bail. He submits that the petitioner, being mother of wife of deceased, had instigated her daughter to continue her illicit relationship with Jaswinder Singh @ Jassi and in this manner, had abetted suicide of Bahadur Singh. Also, it is submitted that even though, challan has been presented and charge has been framed, but still, material witnesses remain to be examined.

May it be so. It is pertinent to mention that the petitioner, who is mother-in-law of deceased Bahadur Singh, was arrested in the present case on 21.12.2020 and since then, she is custody. Though, the challan has been presented but till date, only one witness has been examined i.e. PW-1 complainant. Even, fellow accused Amarjit Singh, Vikram Singh, Harpreet Kaur and Mohan Singh have already been granted benefit of regular bail. The trial is proceeding at snail's pace, due to the prevailing pandemic situation. As there are 21 witnesses cited in the list of witnesses, the conclusion of the trial, as such, is likely to take considerable time.

Considering the aforesaid fact situation, this Court deem it appropriate to grant regular bail to the petitioner. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing personal/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

(ARCHANA PURI)
JUDGE

September 03, 2021
Vgulati

Whether speaking/reasoned
Whether reportable

Yes
No