

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

(Through Video Conferencing)

CRM-M-34420-2021

Date of Decision: 27.08.2021

GURMEET KAUR

.....*Petitioner*

V/s.

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. Prince Goyal, Advocate,
for the petitioner.

Mr. Gagandeep Singh Chhina, AAG, Haryana.

MANJARI NEHRU KAUL, J. (Oral)

This is the first petition filed under Section 439 of the Code of Criminal Procedure for grant of concession of regular bail to the petitioner in case FIR No.295 dated 13.11.2020 lodged under Section 306 and 34 of the Indian Penal Code, 1860 at Police Station Kalanwali, District Sirsa, Haryana.

Learned counsel for the petitioner, *inter alia*, contends that the petitioner has been falsely implicated in the case in hand. He further submits that the petitioner, who is 65 years old lady and mother-in-law of the deceased, has been in custody since 04.01.2021 for allegedly abetting the suicide of her daughter-in-law i.e. the deceased.

Learned counsel has invited the attention of this Court to the contents of the FIR in question which reveals that totally vague and general allegations have been levelled against the petitioner and other family members of her family of just “harassing and disturbing her” as a result of which she committed suicide by hanging herself. He also submits that the ingredients to attract the mischief of Section 306 and Section 107 IPC are

clearly amiss in the case in hand. He further submits that similarly situated co-accused i.e. maternal grandmother-in-law of the deceased has since been extended the concession of bail vide order dated 16.07.2021 (Annexure P-4) passed by this Court, hence, the petitioner be also extended the concession of regular bail.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from ASI Dalip Singh, has not been able to controvert the submissions made by the learned counsel for the petitioner *qua* the contents of the FIR in question. He submits that the petitioner alongwith other family members subjected the deceased to maltreatment after her husband performed a *karewa* marriage with the widow of his brother. He submits that in the wake of the allegations, the petitioner does not deserve the concession of regular bail.

Heard.

Without commenting on the merits of this case, the petitioner and the fact that the petitioner who is a 65 year old lady, has been in custody since 04.01.2021 and there is no likelihood of the trial concluding in the near future. The present petition as such is allowed and the petitioner is admitted to bail to the satisfaction of the trial Court/Duty Magistrate.

August 27, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No