

222 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36125-2021 (O&M)

Date of decision : 02.11.2021

Ranjit Kaur

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Preetinder S. Ahluwalia, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. Bhavyadeep Walia, Advocate
for the complainant.

RAJESH BHARDWAJ, J.(ORAL)

CRM-30795-2021

Application is allowed as prayed for.

Complainant-Gurdeep Singh is impleaded as respondent No.2.

Amended memo of parties is taken on record.

CRM-M-36125-2021

Prayer in this petition under Section 439 Cr.P.C, is for grant of regular bail to the petitioner in case FIR No.126 dated 06.07.2020, under Sections 306/34 of the Indian Penal Code, at Police Station Sadar Patiala, District Patiala.

It has been contended by learned counsel for the petitioner that the petitioner before this Court is mother-in-law of deceased Davinder Kaur. He contends that the marriage of the deceased took place with the son of the petitioner on 24.02.2019 and she died on 06.07.2020. A perusal of

postmortem report shows that the cause of death was asphyxia due to hanging and there were no injury. He has further drawn my attention to the alleged suicide note which does not contain any allegations against the petitioner except that the deceased had apprehension that one day her husband and in-laws would kill her. He has submitted that on the basis of such allegations no offence under Section 306 i.e. abetment to the suicide can be made out. He further contends that petitioner is behind bars from 16.11.2020 and her co-accused i.e. father-in-law and brother-in-law of the deceased have already been allowed bail and the husband of the deceased is already in custody. He has submitted that on the basis of parity with the father-in-law and brother-in-law of deceased, the present petitioner who is the mother-in-law is also entitled to be released on regular bail.

Learned State counsel has opposed the grant of regular bail to the petitioner and has submitted that the charges have been framed and the case is pending for recording the evidences.

Learned counsel for the complainant has also vehemently opposed the prayer of the petitioner for grant of regular bail.

I have heard learned counsel for the parties and perused the record.

In the totality of the facts and circumstances of the case, I find that the trial is likely to take time and no useful purpose would be served by keeping the petitioner in custody for such a long time when her co-accused i.e. father-in-law and brother-in-law of deceased have already been granted bail by this Court. Learned counsel for the petitioner has succeeded in making out a case for grant of regular bail to the petitioner. Accordingly, 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 concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

02.11.2021
m. sharma

(RAJESH BHARDWAJ)
JUDGE

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