

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

CRM No.M-39514 of 2021 (O&M)

Date of Decision: October 12, 2021

Manmeet 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, Sr.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.

The aforesaid case was registered at the instance of Bikram Singh s/o Surmukh Singh, who is brother of deceased Bahadaur Singh. As per version of the prosecution, Bahadur Singh (deceased) was married to Manmeet Kaur. They were blessed with two children. After staying for some time at Australia, Bahadur Singh and his wife (petitioner) had returned back to India. Then, 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 Manmeet Kaur is wife 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 Manmeet 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 two witnesses have been examined, out of 21 cited witnesses. Statement of the complainant has already been recorded, copy whereof, has been placed on

record. Further, it is submitted that fellow accused Amarjit Singh, Vikram Singh, Harpreet Kaur, Mohan Singh and Surinder Kaur, mother of the present petitioner, have already been granted benefit of regular bail.

On the other hand, learned State counsel has resisted the claim for bail. He submits that the petitioner is the wife of deceased and she had abetted the commission of suicide by deceased Bahadur Singh, as she was into illicit relationship with one Jaswinder Singh @ Jassi and she did not mend her ways, despite specifically asked by the deceased. Also, it is submitted that even though, challan has been presented and charge has been framed, but still, material witnesses remain to be examined.

To add to it, learned counsel for the complainant has also stated that one month prior to the occurrence in question, a DDR was got recorded by the deceased, vis-a-vis, conduct of the petitioner, which is enough to consider the role of the petitioner in abetment to commit suicide.

At the very outset, it is pertinent to mention that the petitioner is wife of deceased Bahadur Singh and she was arrested in the present case on 21.12.2020 and since then, she is in custody. Even though, challan has been presented but till date, only two witnesses have been examined. The statement of the complainant, who is material witness, has been placed on record. Even, fellow accused Amarjit Singh, Vikram Singh, Harpreet Kaur, Mohan Singh and Surinder Kaur have already been granted benefit of regular bail. Even though, much reliance has been placed upon the DDR No.18 dated 10.11.2020, P.S. Mataur, District SAS Nagar but however, appraisal of the conduct, as spelt out in the DDR, can only be made, at later stage. Suffice to consider that this DDR was got recorded about one month

the light of prevailing pandemic situation, the trial is also proceeding at snail's pace. The statement of material witness i.e. Complainant, has already been recorded.

Considering the aforesaid circumstances, without dilating further on merits of the case, this Court deems 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

October 12, 2021
Vgulati

Whether speaking/reasoned
Whether reportable

Yes
No