

207

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

**CRM-M-7271-2022 (O&M)
Date of Decision: 24.02.2022**

Preeti

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Hitesh Chopra, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, Asstt. A.G., Punjab.

(Through Video Conferencing)

JASJIT SINGH BEDI, J.(Oral)

The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in a case vide FIR No.0113 dated 14.09.2021, registered under Sections 306 and 34 IPC, 1860 at Police Station Sadar Gurdaspur, District Gurdaspur (Annexure P-1).

The allegations in the FIR are that the petitioner (wife of the deceased) along with her brother and mother were harassing the deceased (son of the complainant). The case of the prosecution is that on 13.09.2021, the brother and mother of the petitioner went to the house of

the complainant and threatened the deceased and forcibly took away the petitioner to their own home. On this deceased-Jacob felt upset and therefore, on 14.09.2021, he consumed some poisonous substance on account of harassment by the petitioner and her family members, which led to unnatural death.

The counsel for the petitioner states that the allegations in the FIR are absolutely baseless. He states that there were temperamental difference between the couple because of which the petitioner left the matrimonial home. He further contends that the petitioner has been in custody since 15.09.2021 and the report under Section 173 Cr.P.C. had already been presented. Prosecution evidence is not likely to be concluded in the near future. He also submits that neither was there any suicide note nor the petitioner was present at matrimonial home when the deceased committed suicide and therefore, the offence in question was not made out.

On the other hand, the learned State counsel contends that the petitioner along with her family members were harassing and threatening the deceased. He thus, contends that due to the harassment meted out by the petitioner and her family members, the deceased took the extreme step of ending his life.

I have heard the rival contentions of both the parties.

Admittedly, the petitioner has been in custody since 15.09.2021 and the challan stands presented. The petitioner has a one

year old daughter, who is residing with the maternal grand-parents and is therefore being deprived of the love and affection of the mother. The further incarceration of the petitioner is not required.

In view of above, without adverting to the merits of the case and keeping in view the period of custody, the stage of the trial as also the factum that the petitioner has a one year old female child to take care, I deem it appropriate to enlarge the petitioner on regular bail.

Accordingly, the present petition is allowed. The petitioner is ordered to be released on bail, subject to her furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

(JASJIT SINGH BEDI)
JUDGE

24.02.2022

JITESH

Whether speaking/reasoned Yes/No

Whether reportable Yes/No