

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

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CRM-M-11369-2022 (O&M)

Date of Decision: 23.03.2022

SANTOSH KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. Rehat Bir Singh Mann, DAG Punjab.

HARNARESH SINGH GILL, J.(Oral)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.155 dated 27.12.2021, registered at Police Station City Kurali, District SAS Nagar (Mohali), under Section 306 read with Section 34 IPC.

Learned counsel for the petitioner submits that the petitioner is the mother-in-law of deceased, namely, Lalit Kumar; that on 20.05.2018 marriage of the deceased was solemnized with Kiran Bala (daughter of the petitioner) and out of the said wedlock, a child was born after the death of the deceased; that, as per the suicide note dated 27.12.2021, there is no specific allegation against the petitioner and that the petitioner has been in custody since 09.01.2022. He further submits that sons and daughter of the petitioner, who are also accused in the present FIR, have already been granted the concession of anticipatory bail by this Court on 04.03.2022 and that, though there was some dispute

between the husband and wife, yet post resolution of the dispute, they started living together. Still further, it is submitted that, again, due to temperamental differences, Kiran Bala left the matrimonial home on 12.08.2021 and that the petitioner had not filed any complaint, whatsoever, against the deceased.

On the other hand, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner as well as the factum of the co-accused, being on bail. He, however, submits that in the suicide note, the deceased had specifically named the petitioner and that Kiran Bala left the matrimonial home on 12.08.2021 whereas the deceased committed suicide on 27.12.2021. He further submits that post presentation of the challan, the charges are yet to be framed.

I have heard the learned counsel for the parties.

The petitioner is the mother-in-law of the deceased, who had committed suicide on 27.12.2021 and she has been in custody since 09.01.2022. There was a matrimonial dispute between the deceased and Kiran Bala (daughter of the petitioner) and Kiran Bala has been residing in her parental house since 12.08.2021. Charges are yet to be framed and prosecution evidence is to commence. In such circumstance, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars. Moreover, the co-accused has already been enlarged on anticipatory bail.

In view of the above, without commenting anything on the

merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

23.03.2022

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No