

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

CRM-M-12141-2022
Date of Decision:- 28.3.2022

SUKHDEEP KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ashish Gupta, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of regular bail in case having FIR No.60 dated 12.8.2021 registered under Section 306 IPC, at Police Station Ajitwal, District Moga.

Notice of motion.

On the asking of the Court, Ms. Samina Dhir, DAG, accepts notice on behalf of State of Punjab as she was having advance copy of the petition.

The counsel for the petitioner contended that the petitioner is not responsible for death of her husband Jasbir Singh, who committed

suicide on 11.8.2021 by consuming some poisonous substance. It is further contended that actually the petitioner was not having cordial relations with the deceased and prior to the present occurrence she moved one complaint against her husband on 10.8.2021 regarding domestic violence. It is further contended that the petitioner is in custody for the last more than 7 months and that investigation has been completed. The counsel for the petitioner made prayer that petitioner deserves to be released on regular bail.

The instant petition is contested by the State counsel, who submitted that the petitioner is facing serious charges that she and other members of her family abetted deceased Jasbir Singh to commit suicide. It is further contended that just prior to the occurrence in question, the deceased was put in fear that the petitioner and other accused were coming to his house to teach him a lesson and due to same reason Jasbir Singh ended his life by committing suicide.

I have considered the submissions made by counsel for the petitioner as well as by State counsel.

FIR in the present case was registered against the petitioner, her sister, two brothers and brother-in-law with allegations that all of them incited and abetted Jasbir Singh husband of the petitioner to commit suicide as a result of which he committed suicide. Admittedly, the deceased had not left behind any suicide note. As per the counsel for the petitioner, the husband and wife were having strained relations and the petitioner lodged complaint regarding domestic violence against the deceased on 10.8.2021. The petitioner is in custody for the last more than 7 months. The investigation has been completed and challan has been presented. However,

trial is yet to begin. Criminal liability of the petitioner, if any, shall be determined during the course of trial. It will take considerable time for the trial to conclude. Thus, no useful purpose would be served by keeping the petitioner behind the bars for an indefinite period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the CJM/Duty Magistrate concerned.

28.3.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No