

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

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CRM-M-19526-2022 (O&M)

Date of Decision: 05.12.2022

AMANDEEP KAUR

...Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. JS Thakur, Advocate
for the petitioner.

Mr. Gurlal Singh Dhillon, AAG Punjab.

Mr. Pushp Jain, Advocate
for the complainant.

HARNARESH SINGH GILL, J.(Oral)

Through this second petition, the petitioner seeks regular bail in case bearing FIR No.50 dated 14.07.2021, registered at Police Station Nurmehal, District Jalandhar Rural, under Section 306 and 34 IPC (added later on).

As per the contents of the FIR, which was registered at the instance of Hari Singh (father-in-law of the petitioner), on 14.01.2014, marriage of the petitioner was solemnized with his son, namely, Jaspreet Singh (since deceased); the petitioner left the matrimonial home on 12.06.2019 and had performed another marriage with one Udey Sharma, without getting divorce from Jaspreet Singh. Since, the petitioner left the matrimonial home, Jaspreet Singh was under depression, who ultimately committed suicide on 13.07.2021 by consuming salphaz mixed in cold

drink and thereafter, administered the same to his two minor children (a son and a daughter). During treatment, minor daughter, namely, Manroop Kaur, also expired.

Learned counsel for the petitioner submits that the petitioner has falsely been involved in the present case; that Jaspreet Singh was not looking after the petitioner and her minor children and thus, she left the matrimonial home; that, since the petitioner had already left the matrimonial home about two years back, she has no role to play in the alleged occurrence; that there is nothing on record to show that the petitioner had ever abetted the deceased for taking such an extreme step and that the petitioner has been in custody since 29.09.2021.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel and learned counsel for the complainant do not dispute the custody period of the petitioner.

Learned State counsel submits that there are specific allegations against the petitioner, inasmuch as, she was not performing her duties towards her in-laws, husband and children and that the petitioner had left her husband and minor children and performed another marriage with Udey Sharma and that too without getting divorce from the earlier husband (deceased). He further submits that post framing of the charges, prosecution evidence is yet to commence.

I have heard the learned counsel for the parties.

Admittedly, the petitioner was not residing in the matrimonial home since 12.06.2019. Jaspreet Singh (husband of the

petitioner) committed suicide by consuming salphaz mixed in cold drink and thereafter, administered the same to his two minor children on 13.07.2021 and as per the FIR, he was under depression. The petitioner has been in custody since 29.09.2021. Prosecution evidence is yet to commence. In such circumstances, 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.

In view of the above and without commenting anything on the merits of the case, 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 his furnishing bail/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

05.12.2022

Aman Jain

(HARNARESH SINGH GILL)**JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*