

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

CRM-M-41759-2021 (O&M)
Date of decision: 22.03.2022

Rajwant Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Vipul Aggarwal, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG Punjab.

Mr. G.S. Brar, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks regular bail in case bearing FIR No.0050 dated 14.07.2021, registered under Section 306 IPC, at Police Station Nurmehal, District Jalandhar, Punjab.

Learned counsel for the petitioner submits that the present FIR was got lodged at the instance of Hari Singh (father of the deceased); that the marriage of Amandeep Kaur (daughter of the petitioner) was solemnized with Jaspreet Singh (deceased) on 14.01.2014. Out of the said wedlock, two children i.e. a girl and a boy, were born. He further submits that, as per the FIR, the allegation against Amandeep Kaur is that she had an illicit relation with one Udey Sharma, due to which the deceased was under depression and

had himself administered poison and also to his two children; that, unfortunately, the girl child expired but fortunately, the son survived, who is now mentally sick and under treatment and that the petitioner has been in custody since 15.07.2021. Still further, it is submitted that the petitioner, vide affidavit dated 23.07.2019 duly attested by the Notary Public, Jalandhar, had disinherited Amandeep Kaur, which was also published in Punjab Times Newspaper on 24.07.2019. Though the petitioner was named by the deceased in video recording, but there is no specific attribution to the petitioner.

Learned State counsel assisted by the learned counsel for the complainant, while vehemently opposing the prayer for bail submits that the marriage of the daughter of the petitioner was solemnised with Jaspreet Singh (deceased) on 14.01.2014 and the petitioner being the mother-in-law of the deceased had played an active role in the crime.

However, the learned State counsel does not dispute the custody period of the petitioner. He submits that out of 24 prosecution witnesses, none has been examined so far.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 15.07.2021. Though the petitioner was named by the deceased but no specific role has been attributed to her. The marriage of the daughter of the petitioner was solemnised with Jaspreet Singh (deceased) on 14.01.2014 and since then her daughter was residing in her matrimonial home. The prosecution witnesses are yet to be examined. Therefore, the conclusion of the trial would take time. Hence, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

22.03.2022
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No