

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(236)

CRM-M-37821-2022

Date of decision: - 07.09.2022

Jaspreet Kaur alias Jeeto Kaur

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Mandeep Singh Dhot, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is a first petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No.68 dated 25.04.2022, under Sections 306 and 34 IPC, registered at Police Station Lehra, District Sangrur.

Learned counsel for the petitioner has submitted that the petitioner is a 24 year old lady and has been in custody since 05.05.2022 and the investigation is complete and the challan has been presented and there are total 18 prosecution witnesses, out of whom, none have been examined and thus, the trial is likely to take time and the petitioner is not involved in any other case. It is submitted that there is no suicide note in the present case and as per the allegations in the FIR, it would be a debatable issue as to whether offence under Section 306 IPC is made out or not, inasmuch as, it has been stated in the FIR that the petitioner had

left the house of her husband (deceased) about 2 months before he had gone to Madhya Pradesh and thereafter, she had stayed with him only for one day, which was nine days prior to the commission of the alleged suicide. It is also submitted that the present petitioner was residing in her parental house and has not committed any act so as to bring the case within the ambit of Section 306 IPC read with Section 107 IPC.

Learned State counsel on the other hand has opposed the present petition for regular bail and has submitted that the deceased had gone to take back to the present petitioner from her parental house, whereas, as per the allegations in the FIR, he was insulted by petitioner and her family and thereafter, he had committed suicide. The other factual aspects however, have not been disputed by learned State counsel.

This Court has heard learned counsel for the parties and has gone through the paper-book.

The petitioner has been in custody since 05.05.2022 and the investigation is complete and the challan has been presented and there are total 18 prosecution witnesses, out of whom, none have been examined and thus, the trial is likely to take time. The petitioner is stated to be not involved in any other case. There is no suicide note in the present case. The question, whether offence under Section 306 IPC is attracted in the present case or not, would be finally adjudicated during the course of trial.

Keeping in view the above said facts and circumstances, 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

concerned trial Court/ Duty Magistrate and subject to him not being required in any other case.

However, it is made clear that in case, any act is done by the petitioner to threaten or influence the complainant or any of the witnesses, then it would be open to the State to move an application for cancellation of bail granted to the petitioner.

Nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

September 07, 2022
naresh.k

(VIKAS BAHL)
JUDGE

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