

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

CRM-M-47422-2021 (O&M)

Date of decision: 05.08.2022

Satveer Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Armaan Gagneja, Advocate for the petitioner.

Mr. Harbir Sandhu, AAG Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.0057 dated 10.08.2021, registered under Sections 306 and 34 IPC and Sections 3 and 4 of SC & ST (Prevention of Atrocities) Act, 1989, at Police Station Lakhewali, District Sri Muktsar Sahib, Punjab.

Learned counsel for the petitioner submits that though the petitioner had an extra marital affair with co-accused Khushbag Singh @ Bhola, yet the fact remains that Jagmeet Singh-husband of the petitioner had committed suicide by hanging himself with a plastic rope attached to the fan hook, after 12 days of runaway of the petitioner with said Khushbag Singh; that out of the wedlock of the petitioner and Jagmeet Singh, four children were born and that co-accused, namely, Gora Singh @ Gorkha Singh and Harjeet Kaur, have already been granted the concession of bail by this Court,

vide orders dated 10.09.2021 and 12.10.2021, respectively. The petitioner has been in custody since 13.08.2021.

Learned State counsel, while opposing the prayer for bail, submits that the petitioner was specifically named in the FIR as well as in the suicide note of her husband. In case, the petitioner is released on bail, every effort will be made by her to either tamper with the evidence or win over the witnesses.

I have heard the learned counsel for the parties and have also gone through the paper-book.

The petitioner has specifically been named in the FIR as well as in the suicide note and while dismissing the bail application of the petitioner on 28.10.2021, the learned Additional Sessions Judge, Sri Muktsar Sahib, has already dealt with the pleas raised by the learned counsel for the petitioner. The relevant part of the order dated 28.10.2021 would read as under:-

7. On perusal of record, it is revealed that there are grave and serious allegations against the applicant-accused and other co-accused of harassing the deceased to the extent that he was left with no option but to commit suicide. As per the allegations leveled by the complainant, applicant-accused is wife of deceased and she was having illicit relations with co-accused Khushbaj Singh, who gave mobile to applicant-accused, which later on was recovered by the deceased. Deceased has left behind a suicide note wherein he has named the applicant-accused as one of the perpetrators. The aforesaid facts prima facie shows that accused harassed the deceased due to which he committed suicide. It is also alleged that applicant-accused left the company of deceased since 29-30 of July. It is also

alleged that applicant/accused used to procure sleeping tablets either herself from co-accused Gora Singh or through Chhinder Bhagwan Singh and she used to administer these tablets to her family. In entirety, the allegations against the applicant-accused are grave and serious in nature. The applicant/accused is in custody since 13.08.2021. It is contended by the learned Additional P.P. for the State that in case applicant/accused is allowed bail, there is every likelihood that she would threaten the complainant or flee away from the jurisdiction of the court or tamper with the evidence, which would prejudice the trial. In view of the facts of the case coupled with the serious allegations and the fact charge is yet to be framed after which the evidence of complainant is yet to be recorded, this court fully concurs with the argument put forth by the learned Additional P.P. for the State.”

The petitioner is the wife of the deceased, who had committed suicide by specifically naming the petitioner in the suicide note. Therefore, considering the nature of offence and specific allegations against the petitioner, this Court does not find any ground to grant the concession of regular bail to the petitioner.

In view of the above, the petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

05.08.2022
Mangal Singh

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