

JASWANT KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Amandeep Singh Jawandha, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, AAG, Punjab.

Mr. Sukhjit Singh, Advocate
for the complainant.

VIVEK PURI, J. (ORAL)

Custody certificate of the petitioner has been circulated in Court today
and the same is taken on record.

Jaswant Kaur-petitioner is seeking regular bail in the case bearing FIR
No.88 dated 18.07.2021 under Sections 304-B/34 IPC, 1860, registered at Police
Station Bhadson, District Patiala.

Briefly, the case has been registered on the basis of the statement of
Narang Singh, the father of the deceased alleging that the marriage of the deceased
was solemnized with Gurtej Singh on 22.11.2020. There are allegations with
regard to demand of Rs. 1,00,000/- and consequently, harassment was meted out to
the deceased on that score. The deceased had committed suicide on 18.07.2021.

Learned counsel for the petitioner has pointed out that the FIR has
been lodged on the basis of false allegations. The deceased as well as her husband
were working as government teachers and it cannot be said that a demand of
Rs.1,00,000/- would have been raised. Moreover, an inquiry in the matter was also

conducted wherein it has been observed that the deceased was in relationship with another teacher prior to her marriage and had committed suicide on account of repentance and depression. Furthermore, the deceased had also recorded a suicide note wherein it has been specifically mentioned that she is taking the step on account of mental depression and she was aware of the fact that her act was wrong one. It has been further mentioned that no one should be held responsible for her death and she was taking the decision of her own.

Learned State counsel and counsel for the complainant have opposed the bail application on the score that the death has occurred within a period of 08 months from the date of marriage and there are allegations to the effect that the deceased had disclosed with regard to demand of Rs.1,00,000/- to her father a day prior to the occurrence.

On a query by the Court, the learned State counsel has pointed out that on the conclusion of investigation, the challan has been presented only against the petitioner and the husband of the deceased. Furthermore, three other family members have been found to be innocent. It has been further specifically stated by the learned State counsel that the opinion of the hand writing expert on the suicide note has also been procured and the same is in the handwriting of the deceased.

In the instant case, the unfortunate death took place within a period of about 08 months from the date of marriage but the material on record is indicative of the fact that the deceased had committed suicide on account of mental depression and she had specifically stated in the suicide note that no one should be held responsible for the death. Moreover, an inquiry in the matter further indicates that on account of some past relationship, the deceased was under depression and repenting the previous act.

The petitioner is the mother-in-law of the deceased and as per

investigation of the case is complete, challan has already been presented, the conclusion of the trial is likely to take sometime. As such, no fruitful purpose will be served by detaining the petitioner in further custody and sufficient mitigating circumstances are made out to extend the concession of the bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on his furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

08.03.2022
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(VIVEK PURI)
JUDGE

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