

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-5671-2023

Date of Decision:-08.02.2023

Rajinder Kaur.

.....Petitioner.

Versus

State of Punjab.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Harsh Manocha, Advocate for the Petitioner.

Mr. Shubham Kaushik, Assistant Advocate General,
Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The Prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.65 dated 11.05.2021 under Sections 306/34 IPC registered at Police Station Sadar Kotkapura, District Faridkot.

The present FIR came to be registered at the instance of Jabar Singh son of Joginder Singh who stated that he had two sons namely Gurbhej Singh and Harwinder Singh. The marriage of Harwinder Singh was solemnized with Manpreet Kaur daughter of Balwinder Singh on 25.08.2019. After the marriage Manpreet Kaur had gone to Canada in September 2019. All the expenses of Manpreet Kaur were born by him (complainant). He subsequently came to know that his daughter-in-law Manpreet Kaur had relations with other boys because of which his son Harwinder Singh remained under stress. As a huge expenditure was

incurred on sending his daughter-in-law Manpreet Kaur abroad, Harwinder Singh husband of Manpreet Kaur remained under stress. Rajinder Kaur (petitioner) mother of Manpreet Kaur, Rupinder Kaur (aunt mother-in-law) wife of Davinder Singh (uncle father-in-law), Manpreet Kaur daughter of Balwinder Singh and wife of Harwinder Singh and the Taayi/aunt of his daughter-in-law, resident of village Aassi Kalan presently residing at Canada used to harass his son in support of Manpreet Kaur. For the last many days, his daughter in law and her parental family were pressurizing them (complainant) to send more money. Because of this his son Harwinder Singh committed suicide by hanging. A handwritten suicide note was also found.

Based on the aforementioned allegations, the present FIR came to be registered.

The counsel for the petitioner contends that the petitioner has been falsely implicated being the mother of Manpreet Kaur and mother-in-law of Harwinder Singh-deceased. No offence under Section 306 IPC was made out. A compromise had been arrived at between the parties as was borne out from Annexure P-2. Since the petitioner was in custody since 24.11.2022 and none of the 10 prosecution witnesses had been examined so far, her further incarceration was not required, moreso, when she was a first time offender.

The learned Counsel for the State on the other hand contends that the nature of the allegations did not entitle the petitioner to the grant of bail. He, however, does not dispute the fact that a compromise has been arrived at between the parties as also the period of custody undergone by the petitioner.

I have heard learned Counsel for the parties.

Admittedly the petitioner is in custody since 24.11.2022. She is a first time offender and none of the 10 prosecution witnesses have been examined so far. Further a compromise has been arrived at between the parties. As such the further incarceration of the petitioner is not required.

Thus, without commenting on the merits of the case, the petition is allowed and petitioner-**Rajinder Kaur** wife of Sh. Balwinder Singh is ordered to be released on bail subject to the satisfaction of learned CJM/Duty Magistrate, concerned.

The Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

Feburary 08, 2022

Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>