

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 214

Criminal Miscellaneous No.M-10579 of 2023

Date of Decision: *March 09, 2023*

Harpreet Kaur @ Swaranjeet Kaur

..... PETITIONER(S)

VERSUS

State of Punjab

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Vivek Singla, Advocate for the petitioner.

Mr. Jashandeep Singh, AAG, Punjab.

. . .

Tribhuvan Dahiya, J (Oral)

This is petition under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.0041 dated 25.02.2022, under Sections 306, 34 IPC, registered at Police Station Sadar Faridkot, District Faridkot.

2. As per allegations in the FIR lodged on a complaint made by deceased's mother, the deceased got married to co-accused Parwinder Singh @ Soni about thirteen years back. Two children were born out of the wedlock. The complainant's son-in-law/Parwinder Singh, allegedly had illicit relations with the petitioner, who is also married. The deceased used to tell her husband not to contact the petitioner, on which he along with co-accused Rajwinder Singh, would give beatings to her. This led her to commit suicide by consuming poisonous substance on 24.02.2022.

3. Leaned counsel for the petitioner submits that the petitioner is in custody since 16.07.2022 and six prosecution witnesses have already

been examined. It is further submitted that the allegations *per se* are not believable, as the petitioner herself is a married woman, and even after investigation no material could be brought on record which could establish ingredients of the alleged offences against her.

4. Learned State counsel, on instructions from ASI Raj Singh, opposes the grant of bail on the ground that trial is already going on and the remaining sixteen witnesses will also be examined soon. He does not deny that petitioner is in custody since 16.07.2022 and there is no other case against her.

5. Culpability of the petitioner is a matter of trial which will take long time to conclude as sixteen prosecution witnesses still remain to be examined. No purpose will be served by confining the petitioner to custody during trial, especially when the material witnesses already stand examined.

6. Accordingly, the petition is allowed and the petitioner is ordered to be released on bail on furnishing of requisite bail bonds and surety bonds to the satisfaction of trial Court/Duty Magistrate concerned.

(Tribhuvan Dahiya)
Judge

March 09, 2023
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No