

**212 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH****CRM-M-19661-2023****Date of Decision: 27.04.2023****Kelash Kaur****...Petitioner****V/S****State of Punjab****...Respondent****CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Ms. Ranbir Singh Sekhon, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sandhu, AAG, Punjab.

DEEPAK MANCHANDA J. Oral

Instant petition has been filed under Section 439 Cr.P.C. seeking regular bail in the case bearing FIR No.66 dated 05.09.2022 registered under Section 306, 120-B of the Indian Penal Code, 1860 at Police Station Lakhewali, District Sri Muktsar Sahib (Annexure P-1).

Learned counsel for the petitioner contends the petitioner is in custody since 06.09.2022. The allegations qua the petitioner are that she along with one co-accused instigated the deceased to commit suicide though she has not been named in any suicide note. He submits that the petitioner has been falsely implicated in the present case as the FIR came to be registered by the daughter of the deceased, who committed suicide pursuant to a property dispute with his daughter-in-law Paramjit Kaur, who even got registered an FIR against the deceased. It is also averred that the petitioner never threatened, instigated, abetted or forced the deceased in any manner to commit suicide. He further submits that the co-accused, namely, Kulwant Singh has already been granted regular bail by this Court vide order dated 21.02.2023 passed in CRM-M-50706-2022. He again submits that there is

no other case pending against the petitioner and the challan stands presented and though charges have been framed on 13.04.2023 but out of total 28 prosecution witnesses, none of the witness has been examined till date and the conclusion of trial will take sufficient time to conclude, therefore, the petitioner be enlarged on bail.

Custody certificate has been filed by the respondent-State, which is taken on record. Even though learned counsel appearing on behalf of respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the offence alleged against the petitioner is serious in nature, however, he does not dispute the fact that the charges have been framed on 13.04.2023.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 06.09.2022.

It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the challan stands presented and there are no antecedents and the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind the bars.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

27.04.2023
sapna

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