

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-26273 of 2023
Date of decision: 18th July, 2023

Harpreet Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vinod Kumar, Advocate for the petitioner.
Mr. H. S. Sitta, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. The present petition has been filed under Section 439 Cr.P.C. seeking grant of regular bail in:-

FIR No.	Dated	Police Station	Sections
113	6.12.2022	Talwara, District Hoshiarpur	306/506/120-B IPC

2. The brief facts are that the FIR was registered at the instance of Mohinder Singh. As per the allegations, the son of the complainant-Sandeep Singh committed suicide on 4.12.2022 due to registration of a false FIR No. 109 dated 30.11.2022, under Sections 376 and 506 IPC, Police Station Talwara, District Hoshiarpur by Harpreet Kaur (petitioner). The complainant produced a voice message of the deceased to support the allegations.

3. Learned counsel for the petitioner submits that the petitioner is in custody since 21.2.2023, investigation is complete, the petitioner is a lady having two minor children. It is argued that the petitioner was a victim at the hands of the deceased, hence got registered an FIR. The contention is that committing suicide due to registration of an FIR shall not bring the case within the ambit of Section 306 IPC.

4. Learned counsel for the State opposes the prayer for grant of bail. He submits that as per the supplementary statement of the complainant, money was demanded by the family of the petitioner to compromise the matter.
5. The observations made hereinafter shall not be construed as an expression of opinion on the merits of the case.
6. The petitioner is a lady having two minor children; she is in custody since 21.2.2023; though the investigation is complete conclusion of trial is likely to take time; it would not be appropriate for this court to comment upon the merits of the content that no case is made out under Section 306 IPC and the petitioner has clean antecedents, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.
7. The petition is allowed.

[AVNEESH JHINGAN]

JUDGE

18th July, 2023

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1. Whether speaking/ reasoned

:

Yes / No
2. Whether reportable

:

Yes / No