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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CRM-M-28224-2023

Date of Decision: 05.06.2023

Jasbir Kaur

. . . . Petitioner

Vs.

State of Punjab

. . . . Respondent

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**CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL**

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Present Mr.K.P. Singh, Advocate for the petitioner.

Mr. Rajiv Verma, DAG, Punjab.

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**SANDEEP MOUDGIL, J.(Oral)**

Present petition is being filed under section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.84 dated 15.02.2023 under section 306 of IPC registered at Police Station Islamabad, District Amritsar (Annexure P-1).

Learned counsel for the petitioner contends that the only allegation against her is that the petitioner has made a telephonic call to the deceased Vishal, son of the complainant. It has been further argued by the learned counsel on behalf of the petitioner that the deceased has developed a love affair with the daughter of the petitioner who is a married lady having her own family and probably in this abnormal or situational circumstances could not bear the pressure of society who took the extreme step of committing suicide, but the petitioner has been wrongly arrayed/nominated as an accused for an offence under section 306 which is otherwise not made out as the ingredient of instigation on the part of the petitioner is not *prima facie* evident from bare reading of the FIR itself.

On the other hand, learned State counsel on instructions from

relationship with one lady who was residing at the house of Sandeep Kaur who is the sister of the deceased Vishal who visited to the house of Sandeep Kaur along with her husband and other persons and took along Monika from that place, and thereafter the petitioner made a telephonic call threatening the deceased with dire consequences.

However on the aforesaid submissions made by the learned State counsel, no cogent material is coming forth and even otherwise, though this Court should refrain from making any comments on merits, but the whole episode shows that it was a case of multiple persons involved in adulterous life and only one individual cannot be blamed, particularly in the absence of any material whatsoever showing instigation on the part of the petitioner.

As the challan has been filed only on 17.04.2023 and therefore the trial is at the initial stage which will certainly take long time, no useful purpose would be served to keep the petitioner behind the bars for an indefinite period which would otherwise tantamount to violation of right to life and liberty as enshrined under Article 21 of the Constitution of India which includes the right to speedy trial as well.

In the light of the aforesaid discussion, the petitioner is directed to be released on bail on furnishing his bail bonds/surety bonds to the satisfaction of the trial Court.

**(SANDEEP MOUDGIL)**  
**JUDGE**

**June 05, 2023**

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1. *Whether speaking/reasoned?*
2. *Whether reportable?*

***Yes/No***

***Yes/No***