

2023:PHHC:150299

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

206

CRM-M-34156-2023

Date of Decision: 24.11.2023

KULWANT KAUR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present:- Mr.Varinder Basa, Advocate for the petitioner.

Mr. G.S. Sandhu, DAG Punjab

HARPREET KAUR JEEWAN, J. (ORAL)

Present petition under Section 438 Cr.P.C. has been filed by the petitioner-Kulwant Kaur with prayer to grant anticipatory bail in FIR No.68 dated 20.05.2023 registered under Sections 306 and 201 IPC at Police Station Ghuman, District Batala, Gurdaspur.

2. Learned counsel for the petitioner contends that the petitioner is sister of Prem Singh, who is husband of the deceased Harjeet Kaur. The petitioner is residing at about 15-20 kms away from the place where the deceased was residing with her husband Prem Singh and she has never interfered in their matrimonial life and she has been falsely roped in the present case.

3. On the other hand, learned State counsel opposes the bail petition by submitting that there are specific allegations of abetment of suicide of the deceased and torturing her, which have been levelled against the accused-petitioner. There are chances of escaping the petitioner. The investigation is at

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the threshold. No accused has been arrested yet, despite raids were conducted.

4. As per the prosecution version, the FIR was registered at the instance of mother of the deceased with the allegations that on 20.05.2023 at about 01:00/02:00 AM in the midnight, she received a call from her son-in-law Prem Singh that her daughter had died due to heart attack. The complainant along with her other relatives reached at village Khujala at about 07:00 AM, where the petitioner along with other relatives were present and they did not allow her to see the face of her daughter and proclaimed that she had died due to heart attack. However, when the body was given bath, the complainant noticed sign of hanging on the neck of her daughter and had clicked photographs which is part of the paper book. Apprehending that the deceased had died due to strangulation, the matter was reported on the same day to the police i.e. 20.05.2023.

5. Keeping in view the specific allegations against the petitioner of her attempt to conceal the true facts and dead body from her mother, which is stated to be having injuries, no ground for bail is made out under Section 438 Cr.P.C. The dead body has already been cremated. Investigation is at nascent stage. Releasing the petitioner on pre-arrest bail in such circumstances may hamper the investigating agency in collecting evidence and bringing on record true facts.

6. Accordingly, the present petition stands dismissed.

(HARPREET KAUR JEEWAN)
JUDGE

24.11.2023

P.Bhatt

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No