

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54174-2023 (O&M)

Date of Decision: 06.12.2023

Lakhvir Kaur

...Petitioner

vs.

State of Punjab

...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat**Present :** Mr. Mohd. Yousaf, Advocate
for the petitioner.

Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)**CRM-45343-2023**

1. Application is allowed as prayed for, subject to all just exceptions.

CRM-M-54174-2023

1. The petitioner has filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to her in case FIR No.108 dated 05.09.2021 registered under Sections 306, 34 of IPC, at Police Station Sadar Ahemdgarh, District Malerkotla.

2. Learned counsel for the petitioner contends that even from the allegations levelled by the complainant in the present case, no offence under Section 306 IPC is made out against the present petitioner. He further contends that as per story of the prosecution, a suicide note has been recovered, however, the petitioner has not been named in the said suicide note and only general and vague allegations have been levelled by the deceased. Learned counsel further

contends that apparently, due to financial dispute between the parties, the petitioner has been falsely involved in the present case. He further submits that in the present case, similarly placed co-accused, namely, Akbar Khan has already been granted the concession of anticipatory bail by this Court vide order dated 07.01.2022 in CRM-M-41460-2021. The petitioner is a lady, aged about 45 years and has four children. She was arrested in the present case on 03.09.2023 and the challan has already been presented before the Court.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioner.

4. I have heard the learned counsel for the parties and perused the record.

5. It is apparent from the record that the petitioner is in custody since last 03 months. Even she has not been named by the deceased in his suicide note and similarly placed co-accused Akbar Khan has already been granted the concession of anticipatory bail by this Court.

6. Without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on bail subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

(N.S.SHEKHAWAT)
JUDGE

06.12.2023
hemlata

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No