

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

CRM-M-57717-2023

Date of Decision: 06.12.2023

Swaran Kaur and another

...Petitioners

vs.

State of Punjab

...Respondent

Coram : **Hon'ble Mr. Justice N.S.Shekhawat**

Present : Mr. Deepak Aggarwal, Advocate
for the petitioners.

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

N.S.Shekhawat J. (Oral)

1. The petitioners have filed the instant petition under Section 439 of the Cr.P.C. with a prayer to grant regular bail to them in case FIR No.200 dated 21.09.2023 registered under Sections 306 read with Section 34 of IPC at Police Station Sadar Nabha, District Patiala.

2. Learned counsel for the petitioners contends that from the allegations levelled by the complainant in the present case, no offence under Section 306 IPC is made out against the present petitioners. He further contends that petitioner No.2 was pursuing her computer course at an institute where Bahadar Singh (since deceased) was posted as a Teacher. Bahadar Singh had an affair with petitioner No.2. The parents of petitioner No.2 i.e. her father and mother (petitioner No.1) came to know about the said affair between petitioner No.2 and Bahadar Singh (since deceased) and they asked Bahadar Singh to stay away from their daughter. Due to the said reason, Bahadar Singh

had committed suicide. Even the said fact was admitted by Bahadar Singh in his suicide note (Annexure P-2). He further submits that both the petitioners are in custody since 22.09.2023 and challan has already been presented before the competent Court. Thus, further custody of the petitioners will not serve any meaningful purpose.

3. On the other hand, learned State counsel has vehemently opposed the prayer made by learned counsel for the petitioners on the ground that the petitioners are the principal accused and do not deserve the concession of bail by this Court.

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

5. The petitioners are in custody for the last about 02 and a half months and after investigation, the final report under Section 173 Cr.P.C. has already been presented before the Court.

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

06.12.2023
hemlata

(N.S.SHEKHAWAT)
JUDGE

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