

228 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3165-2024
Date of decision : 25.01.2024

KARAMJIT KAURPetitioner

Versus

STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Bhavesh Aggarwal, Advocate
for the petitioner.

Mr. Iqbal S. Mann, DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.202 dated 10.10.2022 registered for the offences punishable under Section 304-B of the IPC, 1860 (Section 304-B of IPC, 1860 deleted subsequently and Section 302, 34 of IPC added later on) at Police Station City Jagraon, District Ludhiana Rural.

2. Custody Certificate of the petitioner has been produced. The same is taken on record.

3. As per the contents of the FIR it was alleged as under :

“xx Stated that I am resident of above-mentioned address and I am sweeper in the Court Complex, Jagraon. I have 03 daughters. The elder daughter is namely Manpreet Kaur alias Pooja followed by Sukhpreet Kaur and Sukhwinder Kaur and a younger son is namely Gurpreet Singh. The marriage of my elder daughter Manpreet Kaur alias Pooja was solemnized on

10.12.2018 with Bachittar Singh alias Fateh Singh son of Charat Singh resident of Gagra, Police Station Sadar Jagraon, District Ludhiana. They have a son namely Jasmanveer Singh aged about 03 years. On 17.03.2020, Bachittar Singh alias Fateh had enticed away Sukhjinder Kaur daughter of Nirbhai Singh resident of Daudhar, District Moga and is residing at some unknown place. My daughter Manpreet Kaur alias Pooja was residing along with her child in a room in her in-laws house at Village Gagra. In the same house, Charat Singh, the father- in-law of Manpreet Kaur alias Pooja was residing in a separate room. Since the time Bachittar Singh has enticed away Sukhjinder Kaur, since that time, my daughter Manpreet Kaur alias Pooja was being harassed by her in-laws family, husband Bachittar Singh alias Fateh, Sukhwinder Kaur above, father-in-law Charat Singh, Nanad Sandeep Kaur alias Seepi, Mandeep Kaur alias Deepi and Rajji, Sukhjinder Kaur's father Nirbhai Singh son of Mukhtiar Singh, Karamjeet Kaur wife of Nirbhai Singh residents of Daudhar District Moga at present residents of Dangian, District Ludhiana, to throw her out of the house from Village Gagra. Bachittar Singh alias Fateh, the husband of my daughter Manpreet Kaur alias Pooja, had sent a letter through post to me and my daughter Manpreet Kaur alias Pooja thereby extending life threats by mentioning therein that call your daughter to you and marry her somewhere else. On 04.10.2022, I came to know that Jasmanveer, the son of my daughter Manpreet Kaur alias Pooja, is wandering in the street while crying. We made a phone call on M.No.91156-94166 of my daughter Manpreet Kaur alias Pooja but the same was found switched off. Then we reached Village Gagra and after informing the Village Panchayat, brought my grandson Jasmanveer Singh at Jagraon and kept on searching our daughter Manpreet Kaur alias Pooja. Today I came to know that today an unidentified dead body had been found to the police on the link road leading from village Aligarh to Malak, which has been kept at Civil Hospital, Jagraon for identification. Then I sent Chamkaur Singh son of Hari Singh resident of

Chungi No.05 Jagraon and Gurwinder Singh son of Jaspal Singh resident of Maddoke, District Moga to Civil Hospital, Jagraon, who identified the dead body and informed me that this dead body is of my daughter Manpreet Kaur alias Pooja. I have suspicion that my daughter Manpreet Kaur alias Pooja has been murdered by her in-laws family, the girl Sukhjinder Kaur and her family in connivance with each other or got killed from someone. The cause of enmity is that Bachittar Singh alias Fateh husband of my daughter Manpreet Kaur alias Pooja, Sukhjinder Kaur, father-in-law Charat Singh, Nanads Sandeep Kaur alias Seepi, Mandeep Kaur alias Deepi and Rajji, Nirbhai Singh, Karamjeet Kaur were wanting forcibly to get my daughter Manpreet Kaur divorced and were wanting to get the house vacated from her. I along with my brother Boota Singh son of Gurdeep Singh resident of Rania District Moga was going to Police Station City Jagra to inform. You met us here. I got recorded my statement you, read over, heard, understood, which is correct. Take legal action against all the above xxx”

4. The story of the prosecution is that Manpreet Kaur @ Pooja the deceased was married to Bachittar Singh who was further having relations with Sukhjinder Kaur, the daughter of the present petitioner and as per the complainant it was alleged that the deceased Manpreet Kaur @ Pooja was harassed by her in-laws' family i.e. her husband Bachittar Singh @ Fateh, Sukhwinder Kaur (Sukhjinder Kaur), father-in-law Charat Singh, sister-in-law Sandeep Kaur alias Seepi, Mandeep Kaur alias Deepi, Rajji and the present petitioner. Apart from the bald allegations there is no overt act attributed to the present petitioner who is behind bars for more than 1 year, 3 months and 12 days. Challan already stands presented and thus there can't

be any apprehension that the petitioner shall tamper with the the evidence.

5. State Counsel is not in position to dispute the aforesaid factual assertions made by counsel for the petitioner which are based on record.

6. I have heard counsel for the parties and have gone through records of the case.

7. Without commenting on the merits of the case, keeping in view the incarceration already suffered by the petitioner and the fact that the investigation already stands concluded and Challan stands presented, the present petition is allowed. The petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. Needless to say that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

January 25, 2024
Dpr (Pankaj Jain)
Judge

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