

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

216

CRM-M-11732-2024(O&M)  
Date of decision: 07.05.2024

KULDEEP KAUR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Dr. Anmol Rattan Sidhu, Sr. Advocate with  
Mr. Raghav Gulati, Advocate and  
Mr. Rahul Kesar, Advocate  
for the petitioner.

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HARPREET KAUR JEEWAN, J.

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.0087 dated 18.08.2023 (Annexure P-1) under Sections 304-B, 34 IPC registered at Police Station Sadar Malout, District Sri Muktsar Sahib.
2. Notice of motion.
3. On the asking of the Court, Ms. Sakshi Bakshi, AAG, Punjab accepts notice on behalf of the respondent-State.
4. Custody certificate dated 06.05.2024 has been filed on behalf of the respondent-State, which is taken on record. As per the custody certificate, the petitioner has undergone 08 months and 18 days of actual custody.
5. As per the prosecution case, the present FIR was registered at the instance of the complainant, who is brother of the deceased-victim. As per the

FIR, the petitioner is alleged to have abetted the commission of suicide by her daughter-in-law, who died on 17.08.2023.

6. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in this case and she is in custody since 21.08.2023. The petitioner is 58 years old lady, who is mother-in-law of the deceased-victim. Even in the FIR, no motive has been attributed to the present petitioner. No specific role has been attributed to the petitioner. The son of the petitioner who got lodged in the jail as under trial has died on 17.01.2024 as he was suffering from cancer, as per the medical report (Annexure P-5). Copy of the zimni orders of the trial Court has been submitted in the Court today, wherein it has been mentioned that son of the petitioner has died on 17.01.2024. He further contends that prior to the registration of the FIR, neither the deceased nor her brother-complainant has ever filed any complaint or reported the matter to any lawful authority raising allegations of harassment. The petitioner and her husband were residing on the ground floor whereas son of the petitioner and his wife were residing in first floor of the house. He submits that investigation is complete and final report under Section 173 Cr.P.C. has been presented before the trial Court. The petitioner is ready to face trial. He further submits that trial is going to take time to conclude, as such prayer for releasing the petitioner on bail has been made.

7. On the other hand, learned State counsel on instructions from concerned Investigating Officer has informed that investigation is complete and final report under Section 173 Cr.P.C. has been presented before the trial Court. She has informed that FIR was registered against the accused including the petitioner with the allegations that they have connived with each other and caused death to the sister of the complainant. Post mortem examination of the deceased

was conducted and viscera was sent for chemical examination, however no poison was detected. The deceased committed suicide by hanging herself with fan with the help of a chunni.

8. I have considered the contentions raised on behalf of the petitioner and the State.

9. Investigation is complete and the final report under Section 173 of the Code of Criminal Procedure has been presented before the trial Court. The petitioner is a female, who is 58 years of age. After the commission of suicide by the daughter-in-law of the petitioner, even the son of the petitioner has died in jail, who is alleged to be suffering from cancer, leading to further emotional trauma to the petitioner. As per the custody certificate, there is no history of other cases against the petitioner. The petitioner is in custody for 08 months and 18 days. Conclusion of the trial is going to take time.

10. In view of the above, the petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing adequate bail bonds and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

11. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

12. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN )  
JUDGE

07.05.2024  
P.Bhatt

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |