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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-14760-2024
Date of decision:-30.04.2024

AMANDEEP KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Sukhbir Maandi, Advocate
for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J. (ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Code of Criminal Procedure for grant of regular bail in the following case (Annexure P-1):-

FIR No.	Dated	Sections	Police Station
12	12.02.2024	306 IPC	Valtoha District Tarn Taran

2. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that petitioner is in custody since 12.02.2024. He further contends that petitioner had no role to play in the alleged suicide being committed by the deceased (her husband) who had left no suicide note but on the basis of statement of the complainant, false case has been planted on her. The

petitioner is not having any criminal antecedents, challan has already been presented in Court, and the conclusion of trial will take sufficient long time for disposal, hence, he prayed for grant of concession of bail to the petitioner.

3. Per contra, learned State counsel has not disputed the factual matrix of the case and submits that the petitioner was arrested on 12.02.2024, and the challan has already been presented in Court and out of 12 witnesses cited by the prosecution none of them have been examined till date. He has also not disputed the fact that no suicide note was recovered in this case.

4. After considering the rival contentions and perusing the record, it transpires that instant FIR was registered against the petitioner on the allegations that the dispute arose between the petitioner and her husband on account of meeting one Gursewak Singh @ Sewak. It is alleged that on 10.02.2024 petitioner had boarded a bus with her son on the pretext of going to Shri Darbar Sahib, Amritsar to pay obeisance and in the same bus Gursewak Singh @ Sewak also boarded. It is also alleged that after leaving son alone, petitioner went to market and some attendant made a video of minor son weeping and on the next day the deceased committed suicide. The petitioner is in custody since 12.02.2024, challan has already been presented in Court and prosecution has cited 12 witnesses and till date none of them has been examined. Admittedly, no suicide note was recovered in this case, it is debatable as to whether the petitioner had instigated commission of suicide by the deceased or not and same could only be ascertained after conclusion of trial, which will take sufficient long time. The petitioner being in custody cannot be allowed to further incarceration for all these period.

5. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner behind bars. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.
6. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)

JUDGE

30.04.2024

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |