

(231)
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16318-2024
Date of Decision: 09.04.2024

MANJIT KAUR

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Bhanu Pratap Singh, Advocate
for the petitioner.

Mr. Harkanwar Jeet Singh, Asstt. A.G., Punjab.

JASJIT SINGH BEDI, J.

The prayer in the present petition under Section 439 Cr.P.C. is for the grant of regular bail in case bearing FIR No.04 dated 10.01.2023 registered under Section 306 IPC at Police Station Ajnala, Amritsar Rural.

2. The present FIR came to be registered at the instance of Balkar Singh son of Sohan Singh and the same reads as under:-

“Supplementary statement of Balkar Singh son of Sohan Singh, resident of Kallomahal, Tehsil Ajnala, District Amritsar, aged about 70 years, Mobile Number 87258-43327. It is stated that I am resident of above mentioned address and do the agriculture work. I have four children serial wise Kanwaljit Singh @ Babba, Amarjit Singh, Paramjit Singh and Charanjit Kaur and all are married. The marriage of eldest son Kanwaljit Singh @ Babba was solemnized about 26 years ago with Jasbir Kaur resident of Ghuman near Dera Baba Nanak. Out of the wedlock of Kanwaljit Singh @ Babba and Jasbir Kaur three children were born, eldest Manjinder Kaur and younger to her son

Manpreet Singh who are married and the youngest daughter Rupinder Kaur is still unmarried. Yesterday, on 09-01-2023 I got recorded my statement regarding the death of my son Kanwaljit Singh @ Babba and being in shock, I could not get recorded that Manjit Kaur wife of Raghbir Singh resident of Kallomahal at present Ajnala who was living with my son in relationship was blackmailing him in order to get share out of his property, used to blackmail and harass him. My son used to tell me that I will finish my life due to harassment being caused by Manjit Kaur. Therefore, on dated 09.01.2023 being in this mental tension caused by Manjit Kaur my son Kanwaljit Singh @ Babba has consumed some poisonous substance and has finished his life. Legal proceedings be initiated against Manjit Kaur wife of Raghbir Singh resident of Kallomahal at present Ajnala and justice be given to me. Today I have got recorded my statement in the presence of my grand son Manpreet Singh son of Kanwaljit Singh alias Babba which has been heard and is correct. Signed: Balkar Singh.”

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. There was no recovery of any suicide note and other than the bald statement of the petitioner there is no other evidence inculcating the petitioner. In fact, there was nothing to suggest that the petitioner had aided or instigated the deceased to commit suicide. As she was a lady, in custody since 11.01.2023 but none of the 18 prosecution witnesses had been examined so far, the Trial of the present case was not likely to be concluded anytime soon and therefore, she was entitled to the concession of bail.

4. On the other hand, the learned State counsel contends that specific allegations had been levelled against the petitioner. Therefore, she

was not entitled to the concession of bail. He, however, concedes that the petitioner was a first-time offender, in custody since 11.01.2023 and that none of the 18 of the prosecution witnesses had been examined so far.

- 5. I have heard the learned counsel for the parties.
- 6. The veracity of the prosecution case against the petitioner shall be adjudicated upon during the course of the Trial. She is stated to be in custody since 11.01.2023 but none of the 18 prosecution witnesses have been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.
- 7. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-Manjit Kaur wife of Raghbir Singh is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.
- 8. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

09.04.2024
JITESH

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