



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

228

CRM-M-17404-2024
Date of decision : 23.05.2024

Amandeep Kaur Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Shakti Mehta, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.0203 dated 27.12.2020, registered for the offences punishable under Sections 306 and 34 of IPC at Police Station Ghagga, District Patiala.
2. FIR was registered on the information supplied by Labh Kaur wife of Labh Singh-mother of the deceased, who alleged as under:-

“xxxx Stated that I am a resident of the above said address and am a housewife. I have three sons and two daughters. All my children are married. My elder son Amritpal Singh son of Labh Singh resident of Kheri Nagaia who was married to Amandeep Kaur daughter of Dev Singh resident of Laddi Tehsil Sangrur District Sangrur for about 4 years. Amandeep Kaur was also earlier married and had two children from her first marriage. Who was

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divorced her from remarried with my husband first and son Amritpal Singh on 05.03.2017. My daughter-in-law Amandeep Kaur was working at Brar Tile Factory situated at Patran for about 06 months and my son Amritpal Singh was also working as laborer (Rajgiri). At about 3/4 months, my son started having doubt on the character of my daughter-in-law Amandeep Kaur. Due to which I and my son made my daughter-in-law Amandeep Kaur understand and asked her to quit her job but she did not listen to us and about this I and my son told my son-in-law Lakhvir Singh son of Nachhattar Singh resident of Kulara, Police Station Sadar Samana. Who also tried to make my daughter-in-law Amandeep Kaur understand, but she did not give up her habits. On enquiry, came to know that my daughter-in-law Amandeep Kaur had an illicit relationship with Bahadar Singh son of Chhota Singh, resident of Ladbanjara Kalan Police Station Dirba, District Sangrur. We also tried to make Bahadar Singh understand many times but he did not mend his ways, rather he used to say to my son Amritpal Singh that you should do what you have to do. On 05.12.2020, it was my daughter-in-law Amandeep Kaur's birthday, my daughter-in-law Amandeep Kaur had also invited his sister's daughter (niece) Hardeep Kaur alias Sheepu daughter Sukhpal Singh resident of Chhajli Police Station Chhajli District Sangrur. That night we all family members had eaten our meals and went to sleep in our own room. My daughter-in-law Amandeep Kaur and her niece Hardeep Kaur alias Sheepu had slept in separate room. When we woke up at 05:00-AM on 06.12.2020, my daughter-in-law

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Amandeep Kaur and her niece Hardeep Kaur alias Sheepu were missing from the room. We kept looking for them, and on investigation, we found that my daughter-in-law Amandeep Kaur and her niece Hardeep Kaur alias Sheepu had been taken away by the said Bahadar Singh son of Chhota Singh. Fearing this disgrace, my son Amritpal Singh committed suicide yesterday on 26.12.2020 consuming some at around 11:00-AM poisonous substance. by Who told me that I had poisoned myself because of this attitude of all three of them. We arranged for a vehicle and admitted him to Rajindra Hospital, Patiala for treatment, during which he died. The above-mentioned persons have forced my son to commit suicide. The cause of my son's death are my daughter-in-law Amandeep Kaur, Bahadar Singh son of Chhota Singh and my daughter- in-law Amandeep Kaur's niece Hardeep Kaur alias Sheepu. Due to which my son Amritpal Singh has ended his life by eating something poisonous because of his fear of disgrace. Today I was coming to the police station along with my son-in-law Lakhvir Singh to inform you that you have met at Ghagga bus stand. Therefore, legal action should be taken against these persons.xxx”

3. Counsel for the petitioner submits that keeping in view time gap of 20 days from the date on which the petitioner is stated to have disappeared from the house and the date of occurrence, it is highly improbable that the act of the petitioner can be said to be an abetment as defined under Section 107 of IPC to constitute offence punishable under Section 306 of IPC. He further submits that even if the allegations as

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conviction of the fact of the petitioner allegedly being in illicit relationship with Bahadur Singh was known to the deceased as well as his mother for more than 06 months and thus the same cannot be a circumstance that can boad the deceased to committee suicide.

4. Bail plea is opposed by the State counsel. However, submits that that there was no suicide note.

5. Petitioner is behind bars for more than 04 months and 21 days. Challan already stands presented.

6. Keeping in view the incarceration suffered by the petitioner and the nature of allegations against him, the present petition is allowed. Petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned.

7. Needless to say nothing recorded herein shall be construed to be an expression of an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

23.05.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No