

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-18447-2024 (O&M)
Date of decision: 07.05.2024

PRABHLEEN KAUR

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present : Mr. G.S. Nahel, Advocate
for the petitioner.

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.29 dated 04.03.2024 (Annexure P-1) under Sections 306, 34 of the IPC registered at Police Station Sadar Dhuri, District Sangrur.
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 02 months of actual custody.
5. The present FIR was registered at the instance of the complainant, who is sister of the victim-deceased. As per the prosecution version, the victim-deceased was being harassed by the petitioner and her co-accused, as such the

victim committed suicide by consuming a poisonous substance. As per the FIR, victim-deceased and the complainant both are daughters of Niranjn Singh from his first marriage, however Niranjn Singh solemnized his marriage again in the year 2014 with the mother of the petitioner. The victim was already residing with her father and step-mother.

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 07.03.2024. Though the petitioner is step-sister of the deceased-victim but she has been living separately in her matrimonial home. The petitioner who is a female is having a minor child aged about 14 years. The minor child is presently living in the custody of the in-laws of the petitioner. The petitioner who has been living in her matrimonial home was not in a position to threaten or instigate the victim, who allegedly committed suicide by consuming poisonous substance. He further contends 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 submits that the 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 confirmed that the victim-deceased was residing in District Sangrur whereas the petitioner was residing in District Patiala after her marriage.

8. I have considered the aforesaid contentions. Investigation is complete and the final report under Section 173 of the Code of Criminal Procedure has been presented before the trial Court. The conclusion of the trial is going to take time.

The petitioner is a female, who is having a minor child. There is no history of other cases against the petitioner.

9. 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.
10. However, it is made clear that nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.
11. Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

07.05.2024
P.Bhatt

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