

CRM-35942-2024 in/&
CRM-M-39302-2024 (O&M)

112+224 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

2024:PHHC:149149



CRM-35942-2024 in/&
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DATE OF DECISION : 14.11.2024

SIMARJIT KAUR		... PETITIONER
	V/S	
STATE OF PUNJAB		... RESPONDENT

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Sangram Singh Saron, Advocate for the petitioner.

Ms. Sakshi Bakshi, AAG, Punjab.
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HARPREET KAUR JEEWAN, J. (ORAL)

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1. The application of petitioner for placing on record copy of FIR No. 30 dated 08.05.2023, Final report under Section 173 Cr.P.C. and examination-in-chief of PW-1 is allowed and the aforesaid documents are taken on record as Annexure P-11 to P-13, subject to all just exceptions.
2. Registry to tag the same at the appropriate place.

Main case

1. The present petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) for grant of regular bail to the petitioner in case bearing FIR No. 30 dated 08.05.2023 registered under Sections 304-B, 34, 201 IPC at Police Station Sadiq, District Faridkot.
2. Custody certificate dated 13.11.2024 reflecting the custody of the petitioner as 01 year, 05 months and 07 days has been taken on record.

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3. Learned counsel for the petitioner contends that the petitioner is in custody since 06.06.2023 and only 7 out of 24 witnesses have been recorded and the trial is going to take time. Petitioner is 56 years of age female and there are no apprehensions that she is not going to attend the trial.

4. Learned State counsel has opposed the bail application referring to the allegations in the FIR about demand of money.

5. I have heard the counsel for the parties and perused the paper-book.

6. As per the testimony of the father of the victim Ravinder Pal Singh, who appeared as PW-1, there was demand of 2-3 lakhs of rupees to compensate the amount spent on the occasion of the birth of the daughter of the victim. The petitioner used to taunt the prosecutrix for giving birth to a girl child. They used to not allow the parents of the victim to meet her. The date of the marriage of the prosecutrix with the son of the petitioner is 21.04.2021. A girl child was born out of the wedlock on 12.12.2021. The victim committed suicide by hanging on 27.04.2023.

7. As per the facts on record, the victim remained hospitalized for more than 10 days and unfortunately died on 08.05.2023. As per the cross-examination of the father of the victim, PW-1 (Annexure P-3), the son of the petitioner had taken the victim to hospital after she committed suicide. The petitioner along with her son used to visit the hospital during the period, the victim remained hospitalized. It is not disputed that no complaint was ever made to the Police till the death of the prosecutrix. There is no complaint made either by the parents or the victim even prior to the unfortunate

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incident reporting the matter to the Panchayat or to the Police with regard to the alleged harassment.

8. Keeping in view the fact that the petitioner is a female, 56 years of age, she is in custody for 01 year, 05 months and the conclusion of the trial is going to take time, the present 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 concerned. This is without expression on merits.

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

14.11.2024
Janki

(HARPREET KAUR JEEWAN)
JUDGE

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