

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-42872-2023 (O&M)

Date of decision : 31.01.2024

Shinder Kaur @ Shinderpal Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Ramanjit Kaur Basota, Advocate,
for the petitioner.

Mr. Jashan Preet Singh, DAG., Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No. 0049 dated 15.05.2023, under Section 306 of Indian Penal Code, 1860, registered at Police Station Dirba, District Sangrur.

(2) Allegations are that petitioner abetted the commission of suicide by complainant's son-Kulwinder Singh with whom she was having illicit relations.

3. This Court while issuing notice of motion, granted interim bail to the petitioner on 19.09.2023, in the following manner:-

“ Contends inter-alia that although, there is an allegation of illicit relations of petitioner with the deceased, but it is nowhere alleged that she instigated or abetted him to commit suicide.

Notice of motion for 17.10.2023.

On the asking of the Court, Mr. Joginder Pal Ratra, Sr. DAG, Punjab accepts notice on behalf of respondent-State and seeks time to have instructions and/or file short affidavit in the matter.

In the meanwhile, petitioner is ordered to be released on interim bail till the next date of hearing, on her furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

4. Learned counsel for the petitioner contends that she is regularly appearing before learned trial Court and there is no allegation that petitioner is likely to misuse the concession of bail or hamper the proceedings in any manner.

5. Learned State Counsel, on instructions, has not opposed the above factual position and rather submits that petitioner is fully cooperating before the Court below.

6. Heard learned counsel for both the sides and perused the paper book.

7. Petitioner was granted interim bail by this Court on 19.09.2023. She is regularly appearing before the Court below; there is no allegation that petitioner is likely to misuse the concession of bail or hamper the proceedings in any manner in case her interim bail is made absolute; thus, sending her to custody at this stage would not serve any purpose.

8. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 19.09.2023, is made absolute. She shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession by the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

31.01.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No