

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

CRM-M No. 25983 of 2016

Date of decision : November 10, 2016

Naginder Kaur,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. VK Sandhir, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.98,
dated 29.6.2015, registered under Sections 302, 120-B, 201 of the IPC, at
Police Station Bagha Purana, District Moga.

Short affidavit of Jasal Singh, DSP, Baghapurana has been
filed. Copy supplied.

The allegation is that the petitioner is the wife of the cousin

of the deceased and was having illicit relations with him, as a result of

which he was murdered.

Counsel for the petitioner has argued that the petitioner has been in custody since June 2015 and the only objective evidence is some alleged call details, as per which the deceased used to make calls to the petitioner. Husband of the petitioner is also in custody and he is the main accused. He has further argued that as a matter of fact the phone statedly used by Gurjant Singh is not in his name and the phone on which calls from that number were received is of the husband of the petitioner. As per him, this is a case where one cousin was talking with another cousin and just because his dead body was discovered outside their house, this false case has been foisted upon them.

Counsel for the respondent states that apart from the call details, there is confessional statement and sword as well as knife were recovered. There is testimony of one Jagsir Singh who had allegedly heard the accused talking about the murder as well as that of Darshan Singh before whom there is an extra judicial confession.

In these circumstances, without commenting upon the merits of the case, and keeping in view the fact that the husband of the petitioner, who is the main accused, is in custody, as well as the period of custody already suffered by the petitioner, I do not deem it appropriate to deny the concession of regular bail to the petitioner. Bail to the

CRM-M No. 25983 of 2016

::3::

satisfaction of the trial Court/Duty Magistrate. Petition stands disposed of.

November 10, 2016
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No