

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 28542 of 2015
Date of decision:- 24.2.2016

Sukhpal Kaur

Petitioner

vs.

State of Punjab

Respondent

Present: Proxy counsel for
Mr. CM Munjal, Advocate
Ms. Simsi Dhir, DAG, Punjab
Mr. Manjot Singh Tiwana, Advocate.

M.M.S.BEDI,J.

The petitioner is a lady, who is wife of deceased Jaswinder Singh. She has been in custody since 18.9.2014 in a case registered by her brother-in-law Balwinder Singh, real brother of Jaswinder Singh, alleging that the petitioner in connivance with Mandeep Singh and Gurdarshan Singh had murdered Jaswinder Singh. The allegation against the petitioner is that she mixed intoxicating substance in the liquor, consumed by Jaswinder Singh and then, after strangulation, threw him in the canal as she had illicit relations with her co-accused Mandeep Singh. The evidence against the petitioner is that the complainant had seen Mandeep Singh and Gurdarshan Singh out side the house of his brother prior to the incident. The petitioner is alleged to have made an extra judicial confession before Gurdeep Singh, who is none else but husband of deceased's sister. The petitioner is stated to be mother of two children and has been in custody since 18.9.2014. There appears to be intentional delay on the part of the prosecution witnesses to delay the proceedings.

Counsel for the complainant has intervened to oppose the

petition and has undertaken that there will be no lapses on the part of the prosecution witnesses to appear as and when required. Taking into consideration the totality of the circumstances; nature of the allegations against the petitioner; the prima facie nature of the evidence and the delay, which is being caused for production of evidence, I deem it appropriate to dispose of this petition with a direction that the entire prosecution evidence should be completed within a period of four months, after the next date of hearing fixed before the trial court. In case the material witnesses and other witnesses of the prosecution are not examined within a period of four months from the next date of hearing, fixed before the trial court, the trial court shall release the petitioner on bail on her furnishing bail bonds/ surety bonds to its satisfaction

February 24 ,2016
TSM

(M.M.S.BEDI)
JUDGE