

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

222

CRM-M-3514-2016

Date of Decision: May 16, 2016

KULWANT KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE M.M.S.BEDI

Present: Mr.O.P.Kamboj, Advocate for the petitioner.

Ms.Simsi Dhir Malhotra, DAG, Punjab.

Mr.Ramandeep Singh Pandher, Advocate for the respondent.

M.M.S.BEDI, J.(Oral)

Petitioner is a lady who seeks concession of regular bail in a case registered at the instance of Gurnam Singh alleging that his brother Saroop Singh along with one Gurmeet Singh was going on motorcycle when the petitioner along with three others armed with weapons like sword and sota waylaid Saroop Singh, gave him beating and dragged him towards the drains and threw him in the water after assaulting him. Saroop Singh died on account of injuries of brain and haemorrhage.

Counsel for the petitioner submits that the petitioner was allegedly empty handed and that she can not said to have any motive to participate in the alleged crime.

Counsel for the complainant, at this stage, has intervened to oppose the bail application contending that the petitioner was apprehensive after her relationship with the deceased came to know to other persons as such she connived with other co-accused and killed his brother Saroop Singh.

I have heard counsel for the petitioner, counsel for the complainant, State counsel and gone through the record of the case. The petitioner along with two other persons having caused the murder of Saroop Singh, the role of the petitioner and her culpability has to be determined along with the culpability of the other co-accused and also taking into consideration the motive attributed. Avoiding appreciation of evidence by entering into niceties of the trial or the probabilities, I deem it appropriate to dispose of this petition with a direction to the trial Court to record the statements of all the prosecution witnesses within a period of four to six months. In case the statements of all the prosecution witnesses are not recorded within a period of six months and the case is not decided within that period, it will be open to the petitioner to approach this Court again for grant of bail.

May 16, 2016
TSG

(M.M.S.BEDI)
JUDGE