

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No.M-36846 of 2016
Date of Decision: 21.10.2016

Navdeep Kaur

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Deepak Aggarwal, Advocate
for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab.

Mr. K.S. Sidhu, Advocate
for the complainant.

HARI PAL VERMA, J. (Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.7 dated 5.2.2016 under Sections 302, 364, 201, 109, 120-B IPC registered at Police Station Sadar Rampura, District Bathinda.

Learned counsel for the petitioner contends that the petitioner is in custody since 26.4.2016 and the allegations are mainly against her husband Gurpreet Singh. The only allegation against the petitioner is that one Sandeep over-heard the conversation between the petitioner and her husband, wherein the petitioner is stated to have abetted her husband to kill

Gurwinder Singh. He further submits that the petitioner has a small child, aged about 2½ years, who is being taken care of by her great-grandmother. He further submits that only one prosecution witness, i.e. the complainant, has been examined in chief and since trial in the case will take long time, petitioner be released on bail.

Learned counsel for the complainant states that it is because of the petitioner, her husband has committed the murder of Gurwinder Singh and therefore, the role of the petitioner cannot be taken lightly.

On the other hand, learned State counsel has also supported the contention raised on behalf of the complainant. He, on instructions from ASI Mukhtair Singh, does not dispute the custody period of the petitioner.

I have heard learned counsel for the parties.

Admittedly, the main allegations are against the husband of the petitioner namely Gurpreet Singh who is already in custody. Therefore, considering the fact that the petitioner is in custody since 26.4.2016 and is required to take care of 2½ years old child and the trial in the case will take long time, I deem it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

However, it is made clear that the petitioner shall not influence prosecution witnesses and shall not hamper the proceedings or tamper with the record in any manner.

Needless to say that the observations made hereinabove shall not be construed as any expression on the merits of the case.

October 21, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?	Yes / No
Whether reportable?	Yes / No