

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

CRM-M No. 3147 of 2017(O&M)

Date of decision: 24.03.2017

Amandeep Sharma (@ Amandeep Kaur)Petitioner

VERSUS

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Manuj Nagrath, Advocate for the petitioner.

Mr. Ankur Jain, AAG, Punjab.

REKHA MITTAL, J.

The petitioner prays for grant of regular bail in FIR No.135 dated 10.10.2015 for offence punishable under Sections 364, 302, 201 and 120-B of the Indian Penal Code, 1860 (in short 'IPC') registered at Police Station Jamalpur, District Ludhiana.

Counsel for the petitioner has submitted that the instant FIR has been lodged at the instance of Nimmo Devi, mother of deceased Shagun. Shagun was married to Ravi Vashisht resident of Ludhiana and admittedly there was marital dispute between Shagun and Ravi Vashisht. There were allegations against Ravi Vashisht that he was maintaining illicit relations with one Darshana. It is further argued that the present petitioner has been indicted in the crime on the basis of circumstantial evidence namely extra-judicial confession of the petitioner and evidence of last seen deposited by Sachin Bhardwaj PW-2. According to counsel, the witness before whom the petitioner made extra-judicial confession was examined

but he failed to support the prosecution. It is further argued that as the material witnesses in the case have already been examined, the petitioner may be released on bail and she is ready to face trial without any default but subject to the conditions to be imposed by this Court.

Counsel for the State has hotly contested prayer for bail with the submission that husband of the petitioner had been learning music from Shagun, a Music Teacher, and the petitioner had suspicion that Shagun developed illicit relations with her husband. The deceased was last seen in the company of the petitioner when Sachin Bhardwaj PW-2, a driver on the car of Shagun bearing No.PB-10-BF-0448 left Shagun with Amandeep Sharma in the evening of 5.10.2015. It has further been argued that as per the tower location of mobile phone of the petitioner, co-accused Bhavjeet (being tried as a juvenile) and the deceased, they were found to be present near the canal in which Shagun is stated to have been thrown by the accused but her body has not been recovered till date.

I have heard counsel for the parties, perused the paper-book and the police records.

As per the call details collected by the investigating agency, the last contact of the deceased from her mobile phone was made on the mobile of Amandeep Sharma (petitioner herein). Sachin Bhardwaj PW-2 has been examined who deposed that on 05.10.2015 Shagun was left with Amandeep Sharma as Amandeep Sharma along with Bhavjeet @ Bhagu came in Micra car bearing No.PB10-0165 to pick up Shagun who inquired about location of house of Amandeep Sharma and Amandeep Sharma told

her that she would come to guide her the way to her house as the house is in a difficult area.

Taking into consideration gravity of charge against the petitioner, I do not think it to be a fit case wherein the petitioner deserves to be enlarged on bail. However, the trial Court is directed to put its best effort to conclude the prosecution evidence within a period of 3 months w.e.f. 18.04.2017, the next date fixed in the proceedings.

Dismissed.

MARCH 24, 2017

‘D. Gulati’

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned :

yes/no

Whether reportable :

yes/no