

Sr. No.209

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

CRM No. M-14697 of 2017 (O&M)

Date of Decision: 19.03.2018

Simranjit Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. A.D.S.Sukhija, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

Mr. R.S.Aulakh, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks regular bail pending trial in case FIR No.42 dated 22.07.2016, under Sections 302, 201, 34 IPC and Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Chola Sahib, District Tarn Taran.

Counsel for the parties have been heard.

FIR came to be registered on the statement of Sukhraj Kaur. Deceased is Bachan Singh i.e. husband of the complainant and who died of gun shot injuries in an alleged occurrence that took place on the intervening night of 21/22.07.2016.

Complainant's version is that she was married to Bachan Singh (since deceased) 30-35 years back and there was no child born out of wedlock. One boy, namely, Manpreet Singh has been

adopted as a son. The matrimonial ties between the complainant and Bachan Singh (deceased) became strained and even a divorce case was filed.

It is alleged that Bachan Singh (since deceased) during his life time transferred 4/5 kilas of land in the name of his own brother Beant Singh and the present petitioner i.e. wife of Beant Singh. As per prosecution a compromise was arrived at between complainant Sukhraj Kaur and her husband Bachan Singh (since deceased) and on account of which Bachan Singh was raising a demand that the immovable property already in the name of Beant Singh as also his wife to be given back.

Motive attributed is that to ensure that the ownership of 4/5 kilas of land remains in the name of Beant Singh as also the present petitioner, Bachan Singh was killed.

Occurrence is stated to be of the intervening night of 21/22.07.2016. Complainant's version is that the present petitioner brought a double barrel gun from inside the house and handed it over to Beant Singh who has used such fire arm for inflicting a gun shot injury upon the deceased.

Petitioner who is a lady aged about 60 years was arrested on 29.07.2016.

Investigation having been completed, challan was presented and even charges framed.

Material witness in the present case would be seen as a complainant herself i.e. Sukhraj Kaur and who was stated to be an eyewitness. She has already been examined before the trial

Court.

Counsel representing the petitioner would advert to the cross-examination conducted of the complainant wherein she has admitted that a will was propounded by Bachan Singh during his life time and as per which the immovable property owned by him was to devolve on the children of his brothers and one sister and to the exclusion of the complainant Sukhraj Kaur.

Trial will take time to conclude.

Petitioner has already faced incarceration for a period more than 01 year and 06 months.

Without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Tarn Taran.

Disposed of.

19.03.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes
No