

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

207

**CRM-M-32627-2019
Date of decision: 11.12.2019**

Inderjeet Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Arun Kaundal, DAG, Punjab
assisted by A.S.I. Sarabjit Singh

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed present petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in case FIR No.01 dated 03.01.2018 registered under Sections 302, 201 read with Section 34 of the Indian Penal Code, 1860 at Police Station Lambi, District Sri Muktsar Sahib.

Learned State Counsel has appeared and filed reply by way of affidavit of Manmohan Singh Aulakh, PPS, Deputy Superintendent of Police, Sub-Division Malout, District Sri Muktsar Sahib on behalf of respondent No. 1 and opposed the bail application in terms of the same.

I have heard learned Counsel for the petitioner and learned State Counsel and gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner was named in the FIR but no specific role/injury is attributed to her. The petitioner has been implicated on the basis of alleged overhearing of the conversation between the petitioner and her co-accused just to grab the house of the petitioner. There is no direct or

circumstantial evidence against the petitioner as to commission of the offence alleged. There was no postmortem examination of the dead body. There was undue and unexplained delay in lodging of the FIR. The petitioner is in custody since 04.01.2018. Her co-accused Ramandeep Singh @ Ricky has already been granted bail by this Court vide order dated 30.04.2019. Therefore, the petitioner may be ordered to be released on regular bail.

On the other hand, learned State Counsel has argued that the petitioner was having illicit relation with her co-accused and murdered her husband in conspiracy with him and thereby committed heinous offences. The petitioner does not deserve the concession of regular bail and the petition may be dismissed.

Keeping in view the facts and circumstances of the case, parity of the case of the petitioner with that of her co-accused and also the fact that trial is likely to take time but without commenting on merits of the case, I am of the considered view that the petitioner deserves the concession of regular bail.

Therefore, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of bail bonds to the satisfaction of the trial Court/Chief Judicial Magistrate concerned.

11.12.2019

kavneet singh

**(ARUN KUMAR TYAGI)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No