

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

214

CRM-M-34157-2019 (O & M)
Date of Decision:29.08.2019

Gurjit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.84 dated 08.09.2015, under Section 302 IPC (offence under Section 34 IPC added later on) , registered at Police Station Valtaha, District Tarn Taran.

The FIR was lodged at the instance of Gurjit Kaur wife of Sukhwinder Singh wherein it has been alleged that she along with her husband and children were residing in Gurdwara Baba Beer Singh Village Dasuwal where her husband Sukhwinder Singh was serving as a Granthi. On 7.9.2015 after taking meals in the evening, they went to sleep outside alongwith both of her children. At about 3:00 a.m. when she got up she

found that the lights of the Gurdwara were switched off and when she went inside and switched on the lights, she found that her husband was lying on the cot in a pool of blood. She immediately called her neighbour Gurcharan Singh and she along with Gurcharan Singh and his wife took her husband to hospital where he succumbed to his injuries. It is further the case of prosecution that subsequently on 16.9.2015, Gurjit Kaur (petitioner) made an extra-judicial confession before Jagtar Singh, brother of the deceased admitting that she along with Hardip Singh had killed Sukhwinder Singh.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and that in any case it is a case of blind murder, based on circumstantial evidence. He has further contended that apart from her alleged extra-judicial confession, there is no other convincing evidence to connect the petitioner with the alleged occurrence.

On the other hand, learned State counsel assisted by ASI Satnam Singh has opposed the bail application. He submits that Gurjit Kaur had suffered extra-judicial confession and also got recovered a knife (weapon of crime). According to him, she also admitted that she along with Hardip Singh had murdered Sukhwinder Singh and therefore, no case for grant of bail is made out. It has, however, been informed that the petitioner has been behind bars since 16.9.2015 and till date only 10 out of the 25 prosecution witnesses have been examined.

Considering the above background and the fact that the trial is likely to take some time, further detention of the petitioner (lady) may not be justified. Therefore, without meaning any expression of opinion on the

merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

29.08.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No

Whether Reportable : Yes/No