

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

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**CRM-M-20763-2020  
Date of decision: 05.11.2020**

Parvinder Kaur .....Petitioner  
Versus

State of Punjab .....Respondent

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present : Mr. J.S. Bains, Advocate  
for the petitioner.

Mr. Sukhbeer Singh, Asstt. A.G. Punjab  
for the respondent-State.

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**ARUN KUMAR TYAGI, J (ORAL)**

(The case has been taken up for hearing through video conferencing.

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.136 dated 29.08.2016 registered under Sections 302, 380, 411 and 120-B of the Indian Penal Code (for short 'the IPC') at Police Station C-Division Amritsar.

The above said FIR was registered on statement of complainant Harjinder Kaur. In her statement complainant alleged that on 29.08.2016 at about 1:00 p.m. she had gone to Gurudwara Shaeeda Sahib. Her son Jaswinder Singh @ Romi was present at home. At about 7:30 p.m. her daughter in law Parvinder Kaur (the petitioner) along with her children also came to the above said Gurudwara. They returned at about 9:45 p.m. and found that the main door of the house was open and dead body of her son Jaswinder Singh @ Romi was lying

in the pool of blood on the floor with deep cut on his neck and Almirah was open. Some unknown person had killed her son. In view of supplementary statement made by the complainant and also statement made by Jaswant Singh as to murder of Jaswinder Singh @ Romi by the petitioner with her paramour Amarjit Singh @ Rohit, the police chargesheeted the petitioner and co-accused Amarjit Singh @ Rohit.

The petitioner, who is in custody since 08.09.2016, has filed the present petition for grant of regular bail.

The petition has been opposed by the learned State Counsel in terms of reply filed by way of affidavit Mangal Singh, PPS, Assistant Commissioner of Police, South, Amritsar City.

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

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. There is no cogent evidence of the petitioner having illicit relations with her co-accused Amarjit Singh @ Rohit. There is no direct or circumstantial evidence as to her involvement in murder of her husband who was murdered by some unknown person. Jaswant Singh, to whom co-accused Amarjit Singh @ Rohit had allegedly made extra judicial confession, has not supported the case of the prosecution. Co-accused Amarjit Singh @ Rohit has been granted bail by the Co-ordinate Bench vide order dated 12.07.2017. The trial is likely to take long time due to restrictions imposed to prevent the spread of infection of Covid-19 and no useful purpose will be served by further detention of the petitioner in custody.

Therefore, the petitioner may be granted regular bail.

On the other hand, learned State counsel has submitted that the petitioner murdered her husband with her paramour. Recovery of weapon of offence and stolen gold and silver articles was made from co-accused Amarjit Singh @ Rohit. Call details record and LIC policy of the deceased have also been seized. Allegations made against the petitioner are very serious. There is conclusively incriminating circumstantial evidence against her. In view of the gravity of accusation, the petitioner does not deserve grant of regular bail. Therefore, the petition may be dismissed.

Keeping in view the facts and circumstances of the case, nature of accusation and evidence against the petitioner, the period of her custody, the fact that PW-Jaswant Singh did not support the case of prosecution and that similarly placed co-accused Amarjit Singh @ Rohit has been granted bail by Co-ordinate Bench of this Court vide order dated 12.07.2017 passed in CRM-M-42037 of 2016 coupled with the fact that trial is likely to take long time due to restrictions imposed to prevent the spread of infection of Covid-19 but without commenting on the merits of the case, I am inclined to extend the concession of regular bail to the petitioner.

In view of the above, the petition is allowed and the petitioner is ordered to be released on regular bail on furnishing of personal and surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

**05.11.2020**

*Vishal*

**(ARUN KUMAR TYAGI)**  
**JUDGE**

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