

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

CRM-M-34976-2020(O&M)

Date of decision:-9.11.2020

Rajdeep Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Mr.Vivek K.Thakur, Advocate
for the petitioner.

Ms.Samina Dhir, DAG, Punjab.

Mr.H.S. Randhawa, Advocate
for the complainant.

H.S. MADAAN, J.

Case taken up through video conferencing.

This second petition for regular bail has been filed by petitioner – Rajdeep Kaur, aged about 34 years – an accused in FIR No.6 dated 4.2.2017 for the offence under Sections 302/34 IPC, registered with Police Station Begowal, District Kapurthala.

As per the prosecution story, one Swaraj Kaur had been murdered. After registration of the formal FIR, the matter was investigated and it transpired that the said murder had been committed by Rajdeep Kaur (present petitioner), Rajinder Kaur – daughters-in-law of deceased along with their co-accused Achan Kumar and Gopi. All four of them were arrested. During the course of their interrogation, accused had suffered disclosure statements and got recoveries effected. The

petitioner/accused Rajdeep Kaur had got recovered pillow, Rajinder Kaur Chunni, used in commission of the offence, whereas Gopi had got recovered Datar used in the incident and gold ornaments received by him as reward for committing the offence and accused Achan Kumar had got recovered iron rod used for committing murder of deceased Swaraj Kaur. On completion of investigation, accused had been sent up to face trial. Petitioner/accused Rajdeep Kaur had moved a petition for grant of regular bail before the Court of Sessions. Her such petition was however dismissed by Sessions Judge, Kapurthala vide order dated 1.2.2018. She had approached this Court earlier craving for grant of relief of regular bail. However, on State counsel informing that the statement under Section 313 Cr.P.C. of the accused had been recorded and trial was at the final stage, such petitioner had withdrawn the petition on 24.7.2019. Now the petitioner/accused has approached this Court again seeking regular bail for the reason that there has not been any progress in the trial, which is still pending and she had incarceration of about 3 years and 8 months. The petition is being opposed by the State counsel and counsel for the complainant.

I have heard learned counsel for the parties besides going through the record.

The allegations against the petitioner are very grave and serious that she along with her sister-in-law Rajinder Kaur had hired killers, conspired and committed murder of their own mother-in-law Swaraj Kaur, an old woman, whose only fault was that she used to object to their having illicit relations with strangers in absence of husband of

Rajdeep Kaur and Rajinder Kaur, who were sons of Swaraj Kaur residing abroad. The trial is at the final stage of defence evidence and arguments stated to be listed for 27.11.2020.

Now coming to the ground on which the bail is being sought i.e. the proceedings in the trial Court having been held up on account of COVID-19, this pandemic has affected a large part of the world, the number of infected persons throughout the world running into crores and deaths into lakhs, this is an unprecedented epidemic. The life had almost come to standstill, when this pandemic started affecting the human population and got spread very quickly. The functioning of the Courts was also got affected. However, things are slowly returning to the normal and physical hearings have resumed in the Courts at District level. The trial is likely to be concluded in near future.

In view of the abovesaid discussion, the petition is doomed for failure and is dismissed accordingly.

9.11.2020
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No