

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-54126-2019 (O&M)

Date of Decision:- 8.1.2020

Sandeep Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Jupinderpal Singh Brar, Advocate,
for the petitioner.

Ms. Rashmi Attri, AAG, Punjab,
assisted by HC Lakhveer Singh.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Sandeep Kaur has approached this Court seeking grant of regular bail in a case registered vide FIR No.81, dated 1.7.2018, registered at Police Station Nehianwala, District Bathinda (Punjab), under Sections 302 and 120-B IPC.
2. The FIR was lodged at the instance of Hakam Singh wherein it has been alleged that his son Mandeep Singh went missing from home on

11.6.2018 and on 14.6.2018 his dead body was recovered from Rajasthan canal. It is further alleged therein that on 11.6.2018 he had seen his daughter-in-law Sandeep Kaur wife of Mandeep Singh talking on mobile phone and later he came to know that Parminder Rai @ Happy used to talk to his daughter-in-law over the phone. The complainant also came to know that on 11.6.2018 Parminder Rai had accompanied his son to village Buttar Sharien and had administered liquor to him and later thrown him in canal as Parminder Rai wanted to establish illicit relations with complainant's daughter-in-law.

3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the present case and that there is no credible evidence to connect her with the alleged death of her husband and that the alleged phone number from which the petitioner is stated to have been conversing with co-accused Parminder Rai is in fact a phone which was duly issued in the name of complainant-Hakam Singh. Learned counsel has further submitted that even as per the FIR, it is co-accused Parminder Rai who is alleged to have thrown the deceased in the canal and no such role is attributed to the petitioner. It has further been submitted that the petitioner has been behind bars since 5.7.2018 and that co-accused has already been granted bail.
4. The learned State counsel while opposing the petition has submitted that since there have been phone calls between the petitioner and co-accused which essentially shows that there were some relations between the petitioner and the co-accused and that the deceased had

been eliminated so as to facilitate the said relationship. Learned State counsel has further submitted that as on date 12 out of cited 27 PWs have already been examined.

5. I have considered rival submissions addressed before this Court. Bearing in mind the fact that the petitioner has been behind bars since 5.7.2018 and is sought to be involved in the present case being a conspirator as it is the co-accused who is alleged to have thrown the deceased into the canal and also bearing in mind that the petitioner is a lady, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and petitioner-Sandeep Kaur is ordered to be released on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate, concerned.
6. It is, however, clarified that none of the observations made above shall be construed to be an expression on merits of the main case.

January 8, 2020

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No