

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

208

**CRM-M-24130 of 2021
Date of Decision: 12.11.2021**

AMARJIT KAUR

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms. Satwant Mehta, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.146 dated 30.11.2020, registered under Sections 302, 120-B, 148, 149 and 506 IPC at Police Station Khemkaran, District Tarn Taran.

Briefly stated, the case of the prosecution is that on 29.11.2020, the complainant-Gurbinder Singh along with Anmolpreet Singh (deceased), Shaminder Singh and Balwinder Singh were going on separate motorcycles. At about 6.30 pm, when they reached Bohri wala bus stop, Maro @ Ninder Kaur and the petitioner, who was on an activa scooter, met them. Since the complainant was known to Maro @ Ninder Kaur, they started talking with each other. In the meanwhile, an Innova car reached the spot and on seeing the car, Maro @ Ninder Kaur said that Lovepreet Singh @ Labha has come and thereafter both Ninder Kaur and the petitioner sped away on their scooty. The complainant, with the deceased as his pillion rider, also went

away on their motorcycle. Their motorcycle was followed by Lovepreet Singh @ Labha and then the same was hit by the Innova being driven by Lovepreet Singh resulting in Anmolpreet Singh falling down. Thereafter, the complainant was given beatings by the other persons sitting in the Innova. Due to his fall, Anmolpreet Singh received serious injuries to which he later succumbed.

Learned counsel for the petitioner submits that the petitioner, who is a 35 year old married lady, has been falsely implicated in the case; she is in custody for the last 11 months; she has no criminal antecedents; even if the entire case of the prosecution is taken as the gospel truth, though vehemently denied, there is no evidence or motive to connect the petitioner to the crime she is alleged to have committed; even as per the prosecution, the petitioner along with Ninder Kaur, per chance met the complainant and the deceased and that she left the scene of occurrence before the alleged murder; the investigation is complete and the petitioner's trial, which is yet to begin, shall take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has conspired to murder Anmolpreet Singh.

The role, if any, played by the petitioner in the alleged murder of Anmolpreet Singh and whether she had any motive in the same would be debated during the course of her trial. Moreover, she is married lady aged 35 years; she is in custody since 01.12.2020; she does not have any other criminal case pending against her; investigation in this case is complete; no further recovery is required to be made from the petitioner and that the petitioner's trial which is yet to begin, is likely to take long time to conclude.

After considering the entire record, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Tarn Taran the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

12.11.2021*D.Bansal***(DEEPAK SIBAL)
JUDGE**

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No