

In the High Court of Punjab and Haryana at Chandigarh

219-2

CRM-M-39862-2020 (O & M)

Date of Decision: November 23, 2021

AMANDEEP KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Naveen Batra, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking regular bail in FIR No.09 dated 18.01.2020, under Sections 460 IPC (Challan presented under Sections 302, 120-B, 182, 177 IPC), registered at Police Station Sadar Banga, District Shaheed Bhagat Singh Nagar..

Learned counsel for the petitioner contends that it is alleged that the deceased, who is the father of the petitioner, was found dead and co-accused Amarjit Kaur, who is the mother of the petitioner, had made a statement to the police that she does not suspect anyone and later Amarjit Kaur had made a supplementary statement that there is a theft of household articles and some of them were lying scattered and she suspects that her husband has been killed by unknown persons. Amarjit Kaur is alleged to have hired 03 co-accused, who have killed her husband. The petitioner is the daughter of the deceased and the only material against her is an extra-judicial confession which she has made. There is no motive which is attributed to the petitioner and it is highly improbable that a daughter would conspire to kill her father without any motive. She is in custody for over 01 year and 10 months. She does not have any criminal antecedents.

Learned State counsel states that although the charges have been framed but none of the prosecution witnesses have been examined as yet.

Heard.

The petitioner is the daughter of the deceased. There is no motive which is attributed to the petitioner. There is an extra judicial confession made by her which is a weak piece of evidence and her culpability would be decided at the time of the trial after appreciation of evidence. She does not have any criminal antecedents.

In view of the above, especially when the petitioner is in custody for over 01 year and 10 months, Covid 19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

November 23, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No