

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

**(112-1)**

**CRM-M-8651-2021  
DATE OF DECISION:- 01.08.2022**

**KIRANPAL KAUR**

**...PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**...RESPONDENT**

**(112-2)**

**CRM-M-16275-2022  
DATE OF DECISION:- 01.08.2022**

**MAKHAN RAM ALIAS MAKHAN BABA**

**...PETITIONER**

**VERSUS**

**STATE OF PUNJAB**

**...RESPONDENT**

**CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL**

Present: Mr. Hitesh Verma, Advocate  
for the petitioner in CRM-M-8651-2021.

Ms. Rana Ghuman, Advocate  
for the petitioner in CRM-M-16275-2022.

Mr. A.S.Gill, Senior DAG, Punjab  
for the State-respondent (in both cases).

**SUVIR SEHGAL, J. (ORAL)**

This order shall dispose of *CRM-M-8651-2021* tiled as  
*“Kiranpal Kaur Versus State of Punjab”* and *CRM-M-16275-2022*  
*titled as “Makhan Ram alias Makhan Baba Versus State of Punjab”* as  
both the petitioners are accused in FIR No.95 dated 10.09.2018 registered  
under Sections 302, 34, 109 and 120-B of the Indian Penal Code, 1860 at

Police Station Sadar Rampura, District Bathinda and they have approached this Court by way of separate petitions filed under Section 439 of the Code of Criminal Procedure, 1973 seeking grant of regular bail. Both the petitioners are approaching this Court for the second time.

Heard counsel for the parties.

Accused-Kiranpal Kaur (petitioner in CRM-M-8651-2021) is accused of having murdered her husband-Harvinder Singh in connivance with co-accused, Makhan Ram alias Makhan Baba (petitioner in CRM-M-16275-2022) and other co-accused. The prosecution evidence is based on the statement of her 15 year old son, Sharandeep Singh, PW-1, as also two other witnesses, namely, Balwinder Singh, PW-2, and Dharam Singh, PW-3, who have supported the case of the prosecution and have stated that Kiranpal Kaur was in an extra-marital relationship with one Sandeep Singh and was caught red handed by the deceased. Even though, she apologized yet she continued with the affair and the deceased had confided with one of the prosecution witnesses that she was behind the threats being received by the deceased.

The first petition preferred by the petitioners was dismissed on 26.08.2020. The petitioners have not been able to show any change in the fact situation necessitating the filing of a fresh petition. Filing of repeated bail petitions amounts to seeking review of the previous judgment, which is not permissible in criminal law as has been held by the Supreme Court in *Hari Singh Mann Versus Harbhajan Singh Bajwa and others (2001) 1 SCC 169; State of Madhya Pradesh Versus Kajaar (2001) SCC (Criminal) 1520 and State of Maharashtra Versus Captain Buddhikota Subha Rao 1989 Supl. (2) SCC 605.*

Upon instructions received from ASI, Amritpal, State counsel submits that the prosecution evidence is at the fag end, two witnesses remain to be examined, who will appear and their statements would be recorded on the next date before the Trial Court and thereafter, the prosecution evidence will be closed.

The prosecution evidence is, therefore, at an advanced stage and the release of the petitioners at this stage is not warranted.

Finding no merit in both the petitions, they are hereby dismissed.

It is clarified that nothing said hereinabove shall be construed to be an expression of the opinion on the merits of the case.

01.08.2022  
*Kamal*

(SUVIR SEHGAL)  
JUDGE

|                            |         |
|----------------------------|---------|
| Whether speaking/ reasoned | Yes/ No |
| Whether Reportable         | Yes/ No |