

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

CRM-M-14855-2021 (O&M)

Date of Decision:-14.10.2022

Paramjit Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Aditya Sanghi, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Jasvir Singh.

GURVINDER SINGH GILL, J. (Oral)

CRM-38741-2022

In view of the reasons mentioned in the application, the same is allowed and the document annexed with the application is taken on record as Annexure P-4 subject to all just exceptions.

CRM-M-14855-2021 (Main Case)

1. The petitioner has approached this Court seeking grant of regular bail in respect of a case registered vide FIR No.159, dated 20.12.2020, Police Station Julkan, District Patiala, Punjab, under Sections 307 and 302 of Indian Penal Code.
2. The FIR was lodged at the instance of Naranjan Singh, wherein it is alleged that his son Balwinder Singh (deceased) was married to Paramjit Kaur

(petitioner). However, the relations amongst them were not cordial as Paramjit Kaur was having extra marital relations. It is alleged that on 19.12.2020 at about 10:30 a.m., the complainant overheard a conversation between his son Balwinder Singh and the petitioner Paramjit Kaur while they were quarreling with each other and wherein the petitioner threatened her husband Balwinder Singh (deceased) that she would set him on fire. When the complainant went upstairs, he saw that the petitioner had poured diesel on Balwinder Singh and had set him on fire. Although Balwinder Singh was rushed to hospital but he succumbed to his injuries on 22.12.2020.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case as her in-laws were not happy with her on account of some matrimonial dispute. It has been submitted that apart from complainant Naranjan Singh, there is no other eye-witness to the alleged occurrence and that infact it is a case of suicide by the deceased.
4. Opposing the petition, learned State counsel has submitted that is a case of direct evidence, where the complainant has witnessed the incident as has been specifically stated in the FIR and in respect of which the complainant has also deposed in the Court. Learned State counsel has informed that the petitioner has been behind bars since the last more than 1 year and 6 months and as on date 7 PWs out of the cited 24 PWs have been examined.
5. This Court has considered the rival submissions.
6. It is not in dispute that direct allegations have been levelled against the petitioner, who is specifically named in the FIR. However, without commenting anything as regards merits of the case, it needs to be noticed that

the petitioner has been behind bars for a substantial period of more than 1 year and 6 months. Conclusion of trial is likely to consume time inasmuch as only 7 PWs out of the cited 24 PWs have been examined so far. In these circumstances, the petitioner, who is a lady, should not be detained behind bars for an indefinite period. The petition, as such, is accepted and the petitioner 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.

14.10.2022

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No