

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

CRM-M-22022-2022
Date of Decision:-**02.08.2022**

SUKHWINDER KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Vipin Mahajan, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

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KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.49 dated 5.8.2019 registered under Sections 302, 309 IPC at Police Station Verowal, District Tarn Taran.

Short reply by way of affidavit of Mr. Jastinder Singh, DSP, Sub-Division Khadoor Sahib, Camp at Goindwal Sahib District Tarn Taran filed on behalf of the respondent is ordered to be taken on record.

The counsel for the petitioner submits that the petitioner has been falsely implicated in the present case at the instance of complainant-Jagtar Singh who is her brother-in-law (brother of her husband). That

husband of the petitioner namely Mukhtar Singh died in 2016, on which she got mentally upset and then mother of the petitioner started residing with her. The counsel for the petitioner further submits that as per the allegations in the FIR, the petitioner killed her mother by setting her ablaze in the house. That there was no reason for the petitioner to murder her mother who was looking after her. The counsel for the petitioner further submits as per the FIR alleged incident took place on 3.8.2019 and the complainant came to know about the same on 4.8.2019 but the matter was reported to the police on 5.8.2019. That the delay in lodging of FIR further creates doubt with regard to the prosecution version. The counsel for the petitioner further contends that the petitioner who is having no criminal history is languishing behind the bars for the last more than 1 year & 9 months and it will take time for the trial to terminate. So prayer is made for grant of regular bail to the petitioner.

The present petition is opposed by the State counsel, who submits that the petitioner is facing grave charges that she killed her mother and that the trial is going on. However the State counsel admitted the fact that during the trial complainant-Jagtar Singh and other material witnesses have been already examined.

As per the custody certificate furnished by the State counsel, the petitioner has been incarcerated for the last 1 year and 9 months and is having no criminal antecedents. As per the allegations in the FIR the petitioner got mentally upset after the death of her husband and as per the State counsel even at present she is getting treatment for the same from the jail doctor. As per the status report submitted by the Presiding Officer of the

trial Court, complainant-Jagtar Singh and other material witnesses have been examined. However it will take considerable time for the trial to conclude. In the given circumstances, no fruitful purpose is going to be served even if the petitioner is kept in judicial custody for indefinite period. Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

02.08.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No