

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

**CRM-M-47283-2021**

**Date of decision : 15.09.2022**

Hema Rani

....Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

Present : Mr. Jasraj Singh, Advocate  
for the petitioner.

Mr. Sarabjit S. Cheema, Dy. Advocate General, Punjab  
for the respondent/State.

**PANKAJ JAIN, J. (ORAL)**

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.249 dated 19<sup>th</sup> December, 2011 (Annexure P-1) registered for the offences punishable under Sections 302, 34 of the Indian Penal Code, 1860 at Police Station Basti Jodhewal, District Ludhiana.

Ld. Counsel for the petitioner contends that in fact the FIR was lodged initially against unknown persons after the dead-body of deceased was found from an open plot. Co-accused Jagroop Singh @ Happy was apprehended in some other FIR wherein he is stated to have suffered a Disclosure Statement and named the petitioner who

happens to be wife of the deceased. He claims that apart from the alleged Disclosure Statement suffered by co-accused Jagroop Singh @ Happy, there is no evidence on record that links the petitioner to the crime. The petitioner is said to be in custody since 27<sup>th</sup> of January, 2018. Trial is in the midst. Only five out of 14 cited witnesses have been examined and is not expected to conclude soon. He, thus, submits that apart from merits merely on the basis of custody already suffered by the petitioner, she is entitled to be released on bail.

Mr. Cheema appearing on behalf of the respondent/State of Punjab is not in position to dispute the aforesaid facts which are matter of record. However, he submits that keeping in view the seriousness of the offences alleged against the petitioner she is not entitled for regular bail.

I have heard Ld. Counsel for the parties and have carefully gone through the records of the case.

Admittedly, apart from the Disclosure Statement suffered by Jagroop Singh @ Happy, there is no other piece of evidence that yokes the petitioner to the present case. The admissibility and the veracity of the said evidence shall be subject matter of trial.

In the circumstances, without commenting on merits of the case and keeping in view custody already suffered by the petitioner,

the present petition is allowed. The petitioner is ordered to be released on bail subject to her furnishing bail/surety bonds to the satisfaction of Trial Court/Duty Magistrate, concerned.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

**September 15, 2022**  
**Dpr**

**(PANKAJ JAIN)**  
**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No