

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

Sr. No.232

CRM-M-48752-2021

Date of decision: 28.02.2022

Ramandeep Kaur @ Harsita @ Cherry

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Tarun Deep Kumar, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.0001 dated 02.01.2019, registered under Section 307 IPC (Sections 302, 201, 120-B IPC added later on) at Police Station Dugri, District Ludhiana.

The petitioner is being prosecuted for having conspired with her paramour to murder her husband – Dipesh Sethi.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; the petitioner is in custody since 05.01.2019; there is no other criminal case pending against her; all the material witnesses of the prosecution stand examined before the Trial Court; the deceased, in his statement made under Section 164 Cr.P.C., did not implicate the petitioner; as per the medical record, at the time of his admission in the hospital, the deceased had disclosed to the attending Doctor that he had himself fallen down in the flames and sustained burn injuries; co-accused Arun Rana has been granted regular bail through an order of this Court dated 22.09.2021 passed in CRM-M-26388-2020 – Arun Rana vs. State of Punjab and that the petitioner's trial in which 25 prosecution witnesses still remain to be examined shall take a long time

to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that she conspired with her paramour to murder her husband.

The effect of the deceased's alleged statements made at the time of his admission in the hospital and before the Magistrate would be debated during the course of the petitioner's trial. However, the petitioner is in custody for the last over 3 years and 02 months; co-accused Arun Rana has been granted regular bail through an order of this Court dated 22.09.2021 passed in CRM-M-26388-2020 – Arun Rana vs. State of Punjab; all the material prosecution witnesses have already been examined before the Trial Court; the petitioner has no criminal antecedents and that the petitioner's trial in which 25 prosecution witnesses still remain to be examined is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Ludhiana, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

February 28, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No