

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

CRM-M-56016-2022 (O&M)
Date of Decision:- 07.12.2022

Manpreet Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. J.S.Jaidka, Advocate, for the petitioner.

Mr. Siddharth Attri, AAG, Punjab,
assisted by SI Davinder Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against her vide FIR No. 126 dated 26.8.2020, Police Station Sidhwan Bet, District Ludhiana, under Sections 302, 148, 149, 34 and 120-B IPC.
2. The matter pertains to murder of Kulwant Singh brother of the complainant Harbans Singh wherein it is alleged that on 25.8.2020 when he was returning home from his fields along with his brother Hakam Singh, they noticed the motorcycle of his brother Kulwant Singh parked near the land of Mohinder Singh. The dead body of Kulwant Singh smeared with blood was also found lying nearby. The

complainant alleged that his brother Kulwant Singh had been murdered by some unknown persons.

3. It is further the case of prosecution that on 27.8.2020, the complainant got his supplementary statement recorded to the effect that he had come to know that his brother had been murdered by Baljinder Singh, Kuldeep Singh, Sumit Kumar, Kaka and Manpreet Kaur (petitioner) on account of the fact that Manpreet Kaur daughter of deceased was having illicit relations with Baljinder Singh to which her father Kulwant Singh (deceased) was objecting to.
4. Learned counsel for the petitioner submits that it is a case of blind murder based totally on circumstantial evidence and that the petitioner has been falsely implicated without there being any convincing evidence to connect her with the alleged occurrence.
5. Opposing the petition, learned State counsel submits that in the instant case apart from the supplementary statement of the complainant, the police had also recorded statement of one Arshdeep Singh in terms of Section 161 Cr.P.C. who stated that he had seen four accused namely Baljinder Singh, Kuldeep, Sumit and Kaka riding two motorcycles and that they were bearing blood stains on their clothes and that they were carrying 'swords' and 'rods'. Learned counsel has further submitted that upon arrest of Baljinder Singh, he admitted that he was having an affair with petitioner Manpreet Kaur and that since her father i.e. the deceased Kulwant Singh was objecting to the same, he in connivance with the other accused had murdered Kulwant Singh. Learned State counsel has

further submitted that during the course of investigation the police had collected call details which clearly shows that the petitioner had made several calls to Baljinder Singh around the time of murder. Learned State counsel has however, informed that the petitioner as on date has been behind bars since the last 2 years, 3 months and 4 days and that although charges have been framed but none out of the cited 21 PWs has been examined till date. It has also been informed that the petitioner otherwise is not involved in any other case.

6. This Court has considered the rival submissions.
7. It is not in dispute that it is a case based totally on circumstantial evidence. The role attributed to the petitioner would at best be in the nature of conspiracy. The petitioner is a young girl aged about 20 years and is not stated to be involved in any other case and has been behind bars for a substantial period of more than 2 years and 3 months. Conclusion of trial is likely to consume time inasmuch as the same has not even commenced till date and as many as 21 PWs have been cited. In these circumstances, further detention of the petitioner will not serve any useful purpose. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to her furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

07.12.2022

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No