

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

206

CRM-M-42259-2022 (O&M)

Date of Decision: 20.02.2023

Amarjit Kaur & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ranjit Saini, Advocate, for the petitioners.

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

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners seek grant of regular bail in respect of a case registered against them vide FIR No.68 dated 25.05.2021 at Police Station Khilchian, District Amritsar Rural, under Sections 302, 242, 148, 149 & 120-B IPC.
2. The FIR in question was lodged at the instance of Sukhwinder Singh, wherein it is stated that his maternal uncle Puran Singh had given one of his sons, namely, Gurwinder Singh in adoption to his Massi (aunt), namely, Surjit Kaur w/o Hardip Singh, as she had not been blessed with any male child. On 25.05.2021, at about 11.00 PM, Gurwinder Singh called the complainant several times and disclosed that Daljit Kaur w/o Lakhwinder Singh had called him to her house by deceit and he had been locked in a room by her mother-in-law Amarjit Kaur, father-in-law Ajit Singh and other neighbourers and the said persons had also

- telephonically called Dharminder Singh, Angrej Singh and Amritpal Singh sons of Surjit Singh. Baljit Kaur wife of Surjit Singh also accompanied them. It is stated that Gurwinder Singh further disclosed to the complainant that he had also locked room from inside and that Balraj Singh and Amritpal Singh were carrying *datars* and *kirpans* and were raising *lalkaras*. The complainant alleged that Gurwinder Singh pleaded with him to come to rescue him, but thereafter he heard noises of hue & cry and then suddenly there was silence on the phone. The complainant along with Harmesh Singh, Sarpanch, reached at the place of occurrence and also informed the Police. At the place of occurrence, the complainant saw the body of Gurwinder Singh, which was smeared in blood lying near the door between the lobby and store of the house. Several marks of injuries could be seen on his face and head. The complainant alleged that Gurwinder Singh was having illicit relations with Daljit Kaur and had earlier i.e. in the year 2019 eloped and thereafter, Daljit Kaur had effected a compromise with her in-laws and parents and now in order to please her husband, her in-laws family and also her paternal family, she called Gurwinder Singh to her house and had got him killed.
3. Learned counsel for the petitioners has submitted that petitioner No.1, aged about 57 years and petitioner No.2, aged about 61 years, have falsely been implicated in the present case and that there is no evidence to substantiate that it is the petitioners, who had inflicted any injury to the deceased.
 4. Opposing the petition, learned State counsel has submitted that the petitioners being mother-in-law and father-in-law of Daljit Kaur are the

prime accused and that it is they, who had locked the deceased in a room and had thereafter called their neighbourers and other relatives and all of them together had murdered the deceased. It has been submitted that even as per the FIR, some of the co-accused are specifically alleged to have been carrying *datars* and *kirpans*. Learned State counsel has further informed that during the course of investigation, the investigating agency had collected call details record pertaining to the deceased, which clearly shows that he had made frantic calls just before his death to the complainant. It has been informed that the petitioners have been behind bars since the last about 1 year, 8 months & 25 days and that as on date 3 PWs out of cited 28 PWs have been examined.

5. This Court has considered rival submissions.
6. In view of the facts and circumstances of the case, it is evident that it is the petitioners being mother-in-law and father-in-law of Daljit Kaur, who would have a motive to eliminate Gurwinder Singh, as said Gurwinder Singh had illicit relationship with their daughter-in-law. The petitioners detained the deceased in a room and bolted the door from outside and called the neighbourers and relatives, who all killed Gurwinder Singh. The occurrence had taken place in the house of the petitioners. Consequently, this Court does not find any ground for grant bail to the petitioners at this stage. The petition is sans merit and is hereby dismissed.

20.02.2023

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(GURVINDER SINGH GILL)**JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**