

2024:PHHC:090885



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S. No.209

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-5122 of 2024
Date of Decision: 18.07.2024

Ramandeep Kaur

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Anoop Singla, Advocate for the petitioner.

Mr. Eklavya Darsi, DAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of this petition filed under Section 439 Cr.P.C., petitioner prays for her release on regular bail in case FIR No.147 dated 15.09.2022 registered under Section 302/34IPC at Police Station Nakodar Sadar, District Jalandhar.

2. Status report by way of affidavit of Shri Kulwinder Singh, PPS, Deputy Superintendent of Police, Sub Division Nakodar, District Jalandhar (Rural) has already been filed on behalf of the respondent- State.

3. FIR was lodged on the complaint of Nachhatar Singh, as per which, his son Manpreet Singh had done a job in Delhi Heart Hospital, Moga for three years and now for the last two and half years, he was doing job in Patel Hospital, Jalandhar. On 06.09.2022, his son had told his (*complainant's*) nephew on mobile that he (*Manpreet*) was coming home.

However, he did not reach. They kept on searching for him. Complaint

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regarding missing of Manpreet Singh was lodged on 09.09.2022. On 15.09.2022, information was received from the Police regarding a dead body lying in the bushes in Village Kang Sahbu. Complainant along with his nephew and son-in-law reached the spot and identified the body to be that of his son Manpreet Singh. It was further stated by the complainant that while doing job in Moga, his son Manpreet had developed love relations with Ramandeep Kaur (*present petitioner*). Said **Ramandeep Kaur** was also having relations with one Mukesh Yadav. It was alleged that said **Mukesh Yadav** along with **Amrik Singh** (*cousin brother of Ramandeep Kaur*) and her uncle **Ajit Singh** had tried to attack Manpreet several times in the past, due to which Manpreet had left the job at Moga and had started doing job in Jalandhar. Complainant stated further that about 15 days back, his son had told his son-in-law Dilbag Singh that Ramandeep Kaur used to talk with her previous lover Mukesh Yadav in front of him and when he stopped her, she had threatened to get him killed from his previous lover Mukesh Yadav, her cousin Amrik Singh and her uncle Ajit Singh, who had also chased him in Jalandhar. Suspecting the involvement of the petitioner and afore-said Mukesh Yadav, Amrik and Ajit, complainant prayed for taking necessary action.

4. FIR was registered. During investigation, post mortem examination was got conducted and it was found that wrist of the hands of the deceased had been chopped off and thus, murder was committed in the brutal manner. The examination of the viscera did not reveal presence of any poison. The doctors opined the cause of death to be “**asphyxiation**” as a result of strangulation, which was sufficient to cause death in normal course of nature and was antemortem in nature. Petitioner – Ramandeep Kaur, co-

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accused Amrik Singh and Mukesh Yadav were arrested on 19.09.2022; whereas; co-accused Ajit Singh was arrested on 06.08.2023.

5.1 During his interrogation, co-accused Mukesh Yadav disclosed about his love affair with Ramandeep Kaur, i.e. petitioner and that deceased Manpreet was suspicious about this relationship. He also disclosed that on 05.09.2022, he had met Ramandeep Kaur and that in the night time, Manpreet had beaten Ramandeep Kaur and had also abused him (Mukesh Yadav) on phone. This fact also came to the notice of Amrik Singh, the cousin of Ramandeep Kaur and her uncle Ajit Singh. Mukesh Yadav disclosed further that he along with Amrik Singh and Ajit Singh hatched a conspiracy to kill Manpreet Singh and that on 08.09.2022 after reaching near the area of Village Kang Sabhu, they called Manpreet, where Amrik Singh wrapped a parna around the neck of the deceased and choked his neck. Ajit Singh kept holding the legs of Manpreet. When Manpreet stopped breathing, they ran away.

5.2 The status report specifically refers about the role of the petitioner to the effect that initially, she was in relationship with deceased and later on, had come in contact with Mukesh Yadav; that Manpreet was suspicious about this relationship; that on 05.09.2022, petitioner had been beaten by deceased- Manpreet and that on 08.09.2022, co-accused Mukesh, Amrik and Ajit, after hatching conspiracy had killed Manpreet. It is alleged that petitioner – Ramandeep Kaur was aware of the said fact that co-accused were planning to commit the murder of Manpreet.

6. It is contended by learned counsel that the petitioner has been falsely implicated on the basis of suspicion. Learned counsel has drawn attention towards the status report in order to contend that even as per the

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investigation, petitioner did not participate either in the conspiracy or in commission of the crime. It is further urged that petitioner is a woman and is in custody since 19.09.2022 i.e. for the last approximately 02 years and that trial may take long time to conclude and so, in these circumstances, she be allowed bail.

7. Learned State Counsel opposed the bail petition by pointing out towards the nature of crime. However, based upon the status report, it is conceded by learned State Counsel that the role attributed to the petitioner is that she was aware of the fact that co-accused were planning to commit the murder of Manpreet and that as per the investigation, petitioner was neither part of the conspiracy nor actually took part in commission of the murder of Manpreet. It is conceded that petitioner is in custody since 19.09.2022 as per the status report. Custody certificate also reveals that petitioner is not involved in any other case.

8. Submissions of both sides have been considered.

9. As has come in the status report, it was found during investigation that petitioner was neither part of conspiracy to commit the murder of Manpreet nor she actually participated in the crime. Besides, the case is dependent upon circumstantial evidence. Petitioner is a woman and is in custody since 19.09.2022, i.e. for the last approximately 01 year and 10 months. Trial may take time to conclude.

10. Having noticed the afore-said facts and circumstances and the nature of role attributed to the petitioner but without commenting anything further on the merits of the case, the petition is hereby allowed, as no purpose shall be served by keeping the petitioner detained, who is a young woman. As such, petitioner is admitted to bail on her furnishing bail bonds



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and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate
concerned, on usual terms and conditions.

July 18, 2024	(DEEPAK GUPTA)
renu	JUDGE
Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No