



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-18858-2024

Date of Decision:-09.05.2024

Devinder Preet Kaur @ Devinder Kaur.

.....Petitioner.

Vs.

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Gaurav Vir Singh Behl, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, Assistant Advocate General,
Punjab.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition under Section 439 Cr.PC is for the grant of regular bail in case FIR No.94 dated 03.11.2022 under Sections 148, 149, 323, 341 IPC (Sections 302, 34, 120-B IPC added in Challan and Sections 148, 149, 323, 341 IPC deleted) registered at Police Station City Ahmedgarh, District Malerkotla.

2. The present FIR came to be registered at the instance of Ranvir Singh and reads as under:-

“ Copy of the statement, Statement of Ranvir Singh, son of Surjit Singh resident of Ward no. 12, presently residing at Ward no. 16, Near Syndicate Bank, Railway Road, Ahmedgarh, aged about 52 years, mobile no. 99148-31207. Stated that I am a resident of the above mentioned address and do the work of carpenter. I have one daughter Ramanpreet Kaur aged 29 years and one son Jaskaran Singh aged 23 years, my son Jaskaran Singh did the work of an electrician on a private level. Yesterday, on dated 02.11.2022, at about 08:15 pm, my son Jaskaran Singh,



on Jupiter Scooty, had gone from home to Ahmedgarh market. When my son Jaskaran Singh did not come home for quite some time, then I contacted from my mobile phone no. 98148-31207 on the mobile no. 62803-56351 of my son. Then my son Jaskaran Singh told me in a muffled voice that 6-7 persons have surrounded me, who are holding in their hands iron rods, sticks and baseball etc. they are giving beatings to me. At this time, I am surrounded at Channa Road, Ahmedgarh near gravel store. Then I suddenly picked up my motorcycle and, on listening the entire talk of my said son Jaskaran Singh, left the home. After some time, when I reached Channa Road, Ahmedgarh, then I saw that near the gravel store, 6-7 unknown persons, who were holding iron rods, sticks, baseballs in their hands were giving beatings to my son Jaskaran Singh. when I raised lalkara to them in a loud voice, then said 6-7 unknown persons, after giving beatings to my son Jaskaran Singh, With their above weapons, ran away from the spot. At that time, the light was glowing on the government pol. That due to the beatings given to my son Jaskaran Singh by the said unknown persons, injuries were inflicted on both eyes, face, chin and head of my son Jaskaran Singh, who was unconscious. Then, some person at the spot called 108 ambulance and my son Jaskaran Singh was admitted to Civil Hospital, Malerkota for treatment. At that time, I went home to arrange for money and, late in the night, even I reached civil hospital, Malerkotla. Then due to my son's condition being grave, the doctor referred my son Jaskaran Singh from Civil Hospital Malerkotla to Rajindra Hospital, Patiala today on dated 03.11.2022. However, due to the condition being more serious, I got my son Jaskaran Singh admitted to Private Hospital, Village Gill, District Ludhiana for treatment, where my son's treatment is going on, who is not yet able to give statement. The statement has been recorded before you. That I can recognize the 5-7 unknown persons on coming forward. That I have read my statement, head it, it is correct. Sd/- Ranvir Singh. "

3. During the course of investigation complainant suffered his first supplementary statement to the effect that the person who had caused injuries to his son was Prabhjot Singh @ Prince. Based on the said



supplementary statement Prabhjot Singh @ Prince was nominated as an accused in the present case.

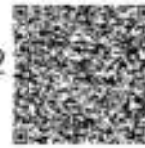
The complainant suffered a second supplementary statement that he had come to know after looking at video footage that on 02.11.2022 Prabhjot Singh @ Prince have been brought to the spot on a scooty bearing registration number PB-28D-8593 by Harjit Singh son of Gurmit Singh. On the basis of the said supplementary statement Harjit Singh was nominated as accused in the present case. He was arrested and got recovered the scooty.

The complainant suffered yet another supplementary statement before the SHO/IO to the effect that his son Jaskaran Singh was having a love affair with Navreet Kaur daughter of Mewa Singh. Navreet Kaur wanted to marry Jaskaran Singh but Devinder Kaur, her mother was against the marriage. Similarly he (complainant Ranvir Singh) was also not ready to get his son Jaskaran Singh (deceased) married to Navreet Kaur. The petitioner along with Navreet kaur had conspired to get murdered his son in connivance with Prabhjot Singh @ Prince and Harjit Singh who were the actual assailants.

Prabhjot Singh @ Prince has been declared a proclaimed offender.

4. The Counsel for the petitioner contends that the petitioner is not named in the FIR. Her name finds mention in the third disclosure statement of the complainant. No specific role has been attributed to her. Both Harjit Singh and Navreet Kaur had been granted the concession of bail by this Court vide order dated 14.03.2024 (Annexure P-9). The petitioner was entitled to the similar relief as she was in custody since 20.11.2022 but only 01 of the 19 Pws had been examined so far.

4. The Counsel for the State on the other hand has filed reply by



way of affidavit dated 09.05.2024 of Mr. Amritpal Singh, PPS, Deputy Superintendent of Police, Sub Division Ahmedgarh, District Malerkotla in the court today, which is taken on record. While referring to the said reply, he contends that the petitioner along with her daughter Navreet Kaur conspired to murder the deceased Jaskaran Singh and Prabhjot Singh @ Prince and Harjit Singh were the assailants. Therefore, the nature of the allegations levelled against the petitioner and her co-accused did not entitle her to the concession of bail. He however, concedes that the petitioner is in custody since 20.11.2022, only 01 of the 19 Pws had been examined so far and that the co-accused Harjit Singh and Navreet Kaur have been granted the concession of bail.

5. I have heard learned Counsel for the parties.

6. The veracity of the prosecution case against the petitioner and her co-accused shall be adjudicated upon during the course of the Trial. Admittedly, the petitioner is in custody since 20.11.2022 but only 01 of the 19 Pws had been examined so far. Therefore, the Trial of the present case is not likely to be concluded anytime soon. Further the co-accused of the petitioner have already been granted the concession of bail. In this situation the further incarceration of the petitioner is not required.

8. Thus without commenting on the merits of the case, the present petition is allowed and the petitioner-**Devinder Preet Kaur @ Devinder Kaur** wife of Sdr. Mewar Singh is ordered to be released on bail subject to her furnishing bail bonds and surety bonds to the satisfaction of learned CJM/Duty Magistrate, concerned.

9. The petitioner (or anyone on her behalf) shall prepare an FDR in the sum of Rs.50,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the



petitioner from trial without sufficient cause.

10. The petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

May 09, 2024
Vinay

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No