

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

CRM-M-21240-2024
Decided on:-03.05.2024

Swaranjit KaurPetitioner..

vs.

State of PunjabRespondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sahil Puri, Advocate,
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.68, dated 19.06.2022, registered under Sections 302, 201, 379-B, 482, 34 IPC and Sections 25, 54, 59 of Arms Act, at Police Station Sadar Kapurthala, wherein, the petitioner has been implicated against the alleged murder of Bakshi Ram.
2. Prayer made herein has been opposed at the instance of learned State counsel while referring to the serious allegations levelled against the petitioner of she having played active role in the murder of Bakshi Ram along with her husband by having hired the taxi of the deceased and later killed him for the purpose of committing robbery, thus, he prays for dismissal of the present petition.
3. I have heard learned counsel for the parties and gone through

the paper book and find substance in the submissions made on behalf of the petitioner.

4. In the present case, investigation already stands concluded with the filing of challan followed by framing of charges and the petitioner is in custody for the last more than 01 year & 10½ months, whereas, only 02 prosecution witnesses have been examined out of total 21 witnesses and thus, trial is likely to take some time. The petitioner happens to be a lady having 02 year old child, who is also in jail along with her, besides it, she is not involved in any other case.

4.1 The present is a case of circumstantial evidence and chain of circumstances needs to be proved during trial. Moreover, the recovery effected from the petitioner is a country made pistol, whereas, the weapon used in the offence was a knife, which was recovered from her husband, who is already in custody.

5. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing adequate bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as an expression of opinion on the merits of the case.

03.05.2024
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(HARKESH MANUJA)
JUDGE

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