



CRM-M-26617-2024

-1-

230

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

CRM-M-26617-2024

Date of Decision:- 14.08.2024

Sarabjit Kaur

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. G.B.S. Dhillon, Advocate
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab.

Mr. Ashutosh Gupta, Advocate
for the complainant.

AMARJOT BHATTI, J.

1. The petitioner – Sarabjit Kaur has filed petition under Section 439 of Cr.P.C. for grant of regular bail in FIR No. 258 dated 09.08.2022 under Section 306, 506 of IPC, registered at Police Station Dera Bassi, District SAS Nagar, Mohali.

2. The facts of the case are that Akhilesh Kumar – complainant gave his statement to the police that he is working as Helper in Nectar Life Science Limited, Unit-1, Saidpura. He got married with Kamla Devi in the year 2005. Out of this wedlock they are having three children i.e. a son and two daughters. His wife Kamla Devi is working as Security Guard in Winsome Yarn Factory. One Lalita who lived in Room No.5 in Block-E in

the company's colony sold second hand OPPO phone to his wife for a



CRM-M-26617-2024

-2-

sum of Rs.2,000/- in June, 2022. There was a sim of Airtel company bearing No.74040-75238. Said phone was used by her daughter Bittu Kumari who was residing with them. On 07.08.2022, his wife left house for her duty at 10:00 pm and returned home on 08.08.2022 at about 06:00/06.30 am. On 08.08.2022, at about 5.30 am, he left for his duty. When his wife Kamla Devi returned home from Usha Factory at 11:00 am, she saw Security Guard of Winsome Yarns Factory i.e. Angrej Singh, Varinder Singh, female guards Mamta and Sarabjit Kaur in their house. They informed his wife that phone which was purchased by his wife and used by their daughter Bittu Kumari was stolen one and it belonged to one Johny who was also a worker in the same company. They took back the phone. He objected that said security guards should have spoken to him instead of his minor daughter. Thereafter all the said persons left the house and his wife also went back to factory. After sometime Vivek Kumar his brother-in-law noticed that the door of house was closed and Bittu Kumari did not open the door. He called their neighbour Gurpreet Singh and opened door of the house with his help and found that Bittu was hanging from the fan with the help of *dupatta*. Bittu Kumari was brought down. Information was given to his wife. She was taken to Hospital at Dera Bassi where she was declared dead. The complainant alleged that his daughter Bittu Kumari was harassed by Angrej Singh, Virender, Mamta and Sarabjit Kaur to the extent that she committed suicide. With these allegations, present FIR has been registered.

3. Learned counsel for petitioner argued that earlier she had filed bail application before learned Additional Sessions Judge, SAS Nagar



CRM-M-26617-2024

-3-

which was declined vide order dated 20.05.2024, which is Annexure P-1. There are no specific allegations against the present petitioner. In-fact, no offence under Section 306 of IPC is made out. Trial of this case is likely to take long time. She will abide by terms of bail order. Therefore, her regular bail petition may be allowed.

4. Bail petition is opposed by learned counsel representing State. Detailed status report has been filed. It is pointed out that earlier anticipatory bail application filed by petitioner along with other co-accused was declined vide order dated 15.03.2023 in CRM-M-43271-2022. They had approached Hon'ble Supreme Court of India, whereby they were directed to surrender within 6 weeks and to apply for regular bail. In-fact, petitioner did not comply said direction. It is pointed out that challan has been presented in this case before the Court of competent jurisdiction on 09.07.2024 and charges are yet to be framed. It is further mentioned that co-accused Mamta Rani has been granted regular bail by the Court of learned Additional Sessions Judge, SAS Nagar, District Mohali on 19.06.2024. Other co-accused namely Angrej Singh @ Angrej Kumar and Virender Singh are yet to be arrested. Present petitioner is involved in a heinous crime. Therefore, she is not entitled to be released on bail.

5. I have considered the arguments and have gone through the record. It is matter of record that earlier anticipatory bail application filed by present petitioner was declined by this Court vide order dated 15.03.2023. Now, present petitioner has been arrested on 11.05.2024. She has joined investigation. Challan has been presented against Mamta Rani and Sarabjit Kaur. Trial is at initial stage. Charge-sheet is yet to be framed.



CRM-M-26617-2024

-4-

Other co-accused Mamta Rani has been granted regular bail. Therefore, without expressing my mind on the merits of case, regular bail petition filed by petitioner – Sarabjit Kaur is allowed. She is ordered to be released on bail on furnishing bail bonds and surety bonds to the satisfaction of trial Court/Duty Judge concerned.

6. The petition is accordingly, accepted.
7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

14.08.2024
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(AMARJOT BHATTI)
JUDGE

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