



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

228

CRM-M-52299-2024(O&M)
Date of Decision: 03.12.2024

KHUSHDEEP KAUR

....Petitioner

VERSUS

STATE OF PUNJAB

....Respondent

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Ms. Amandeep Kaur, Advocate for the petitioner.

Mr. Satjot Singh, AAG, Punjab.

Mr. Arshdeep Singh, Advocate for the complainant.

MANISHA BATRA, J. (Oral)

1. The petitioner is making prayer for grant of regular bail in case arising out of FIR No.92 dated 24.06.2023 under Section 346 of IPC (Sections 302, 201, 420, 464, 468 and 120-B of IPC added later on) registered at Police Station Sirhind, District Fatehgarh Sahib, Punjab. However, Section 464 IPC has been deleted and Section 149 IPC added during the course of framing of charges.

2. Adumbrated facts as emanating from the record are that the aforementioned FIR was initially registered under Section 346 of IPC against unknown persons on the basis of statement recorded by the complainant-Jeevandeep Kaur alleging therein that on 19.06.2023, her husband Sukhjit Singh who was addicted to liquor had left home on his motorcycle at around 06.00 PM while informing that he was going to



bring liquor from Sirhind Liquor Vend. He did not return home that night and also did not respond to the calls made on his phone. In the next morning, she had gone to her father-in-law and they had made search for her husband whose motorcycle was found parked on the rough track of the canal. His footwear were also lying on the bank of the canal. On making further search, his phone was found buried in the soil wrapped in a handkerchief at a distance of about 01 km from the canal bridge.

3. After registration of FIR, investigation proceedings were initiated. On 25.06.2024, the complainant along with her father-in-law approached the police officials informing that she had received information about some accident having taken place in the area of Police Post Basantpura Chowk on the intervening night 19/20.06.2023 and doubted that her husband had died in the said accident. On hearing so, S.I. Amarjit Singh established contact with the in-charge of Police Post Basantpura who disclosed that one Gurpreet Singh Cheema resident of Ramdas Nagar had died in the accident qua an FIR No.58 had been registered and also informed that after conducting postmortem examination of the dead body, the same had been handed over to the family members of the deceased. On raising suspicion, S.I. Amarjit Singh reached at the spot of the accident from where suspicious blood stained gravel and hair were collected. The photographs of the dead body were shown to the complainant who identified the dead body to be that of her husband Sukhjit Singh.



4. As per further allegations, the complainant Jeevandeep Kaur then recorded a supplementary statement before the police to the effect that her deceased husband was having friendly relations with the Gurpreet Singh and had told the complainant that the former one not only used to bring liquor for him but also used to give money to consume the same. She raised suspicion that her husband had been killed by the accused Gurpreet Singh in connivance with his wife i.e the present petitioner and also informed that the accused Gurpreet Singh had got issued several life insurance policies for huge amounts of money in his name and by showing himself to have died in accidental death, he intended to get the said amount of insurance policies released in favour of the petitioner and to grab the same. She also alleged that the accused Gurpreet Singh in connivance with the co-accused had made her husband unconscious by giving him liquor laced with some poisonous substance and then got him crushed to death with a truck. The statements of the other witnesses were also recorded. Offence under Section 346 of IPC was deleted. The accused Gurpreet Singh and the present petitioner along with their unknown companions were nominated as such. During the course of investigation proceedings, the accused Gurpreet Singh and the present petitioner were arrested. They suffered disclosure statements admitting the factum of their involvement in the murder of the victim and also took the names of other co-accused on the basis of which the co-accused were also arrested. Investigation has since been completed. The petitioner along



with the co-accused is facing trial for commission of aforementioned offences.

5. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case by distorting facts. There is nothing on record to show that there was any connivance between the petitioner and the co-accused to commit murder of the victim. She was not even aware that her husband had purchased some insurance policies. She is a rustic innocent female who has been unnecessarily dragged into this case. There are material contradictions in the statements of the complainant who has since been examined. The trial is likely to take time since as many as 59 witnesses are to be examined. There is no direct evidence to the alleged murder of the victim. No incriminating material against her has been collected and the case rests upon circumstantial evidence which is hearsay in nature. She is in custody for a period of about one and half years. No useful purpose would be served by detaining her in custody anymore. It is therefore, urged that she deserves to be released on bail.

6. *Per contra*, it is argued by learned State counsel that there are serious and specific allegations against the petitioner who hatched conspiracy with the accused Gurpreet Singh i.e. her husband and the co-accused with an intention to get the claimed amount of the Insurance Policies of huge sums of money which had been taken by her husband so as to divide the above said amount amongst co-accused and herself by showing the accused Gurpreet Singh to be dead. She had identified the dead body of the victim as the dead body of her husband and had let the same cremated which showed



her knowledge as well as participation in the act of murder of the victim. The trial is being expedited. There are chances of her absconding, if extended benefit of bail and therefore, it is urged petition does not deserve to be allowed.

7. I have heard learned counsel for both the parties and have been perused the record carefully.

8. The petitioner is alleged to have hatched conspiracy with her husband i.e. accused Gurpreet Singh and the co-accused and in pursuance of that conspiracy, her husband and other co-accused murdered the victim and then showing it as a case of accidental death, they projected that the dead body to be that of the accused Gurpreet Singh. Even the petitioner is alleged to have identified the dead body of the victim as that of her husband Gurpreet Singh. There are grave allegations against the petitioner who in greed of money had conspired to commit murder of an innocent victim in a brutal manner. There is nothing on record to show that there would be any undue delay in conclusion of trial. Taking into consideration the above discussed facts and circumstances but without meaning to make any comment on the merits of the case, I am of the considered opinion that the petition does not deserve to be allowed. Accordingly, the same is dismissed.

9. Pending application, if any, also stands disposed of.

(MANISHA BATRA)
JUDGE

03.12.2024

Deepak Patwal

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No