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

**CRM-M No.9005 of 2025
Date of decision : 30.07.2025**

Balwinder Kaur

.....Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Narinder S. Lucky, Advocate
for the petitioner.

Ms. Simran Gorla, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.72, dated 22.06.2024, under Sections 302 & 34 of IPC, registered at Police Station Nakodar Sadar, District Jalandhar.

2. Succinctly the facts of the case are that FIR in the present case was got registered on the statement of complainant, namely, Raj Kumar. It was alleged that his sister-in-law, namely, Rajwinder Kaur, who was of the age of 35 years, married 09 years ago to Amrik Singh. However, they did not have any issue out of their marriage. From beginning there was dispute in the marriage of his sister-in-law with her husband, namely, Amrik Singh, mother-in-law, namely, Balwinder Kaur



(petitioner) and brother-in-law, namely, Jaskaran Singh @ Jassa. Though time and again the efforts were made to resolve their dispute by way of an amicable settlement, however the same did not give any result. On 20.06.2024, his sister-in-law, Rajwinder Kaur had come to her parental home and apprised her parents regarding the ill treatment being given to her by her in-laws. She thereafter returned to her matrimonial home. On 22.06.2024, at about 6:00 a.m., the husband of his sister-in-law, Amrik Singh called his wife, namely, Amarjit Kaur and informed that Rajwinder Kaur was not responding and they were taking her to hospital. On receiving the information, they reached the village Talwandi Salem. On reaching there, they found the dead body of his sister-in-law, Rajwinder Kaur. Her in-laws failed to give any satisfactory answer and it was alleged that Amrik Singh in connivance with his mother, Balwinder Kaur and brother, Jaskaran Singh @ Jassa had committed the murder of his sister-in-law by strangulating her. The request was made to take legal action against all the accused. On registration of the FIR, the investigation commenced. The petitioner was arrested on 27.06.2024. The postmortem of the dead body was conducted and on completion of the investigation, the challan was presented. On framing of the charges, the trial commenced. The petitioner approached the Court of learned Additional Sessions Judge, Jalandhar praying for the grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Jalandhar declined the petition filed by the petitioner vide order dated 07.01.2025. Hence being aggrieved, the petitioner is before this Court by way of filing the present petition praying



for the grant of regular bail.

3. Learned counsel for the petitioner has vehemently contended that the petitioner is mother-in-law of the deceased, who has been falsely roped in the present case. He has submitted that the deceased got married about 09 years ago to the son of the petitioner and there was no matrimonial discord as alleged in the FIR. He has submitted that the petitioner has been roped in the present case only being the mother-in-law of the deceased. He has submitted that all the 03 family members have been arrested and put behind bars only on the basis of presumptions and assumptions. He has submitted that the investigation is complete, charges are framed and the trial Court has already commenced with the trial. He has submitted that the petitioner has no criminal antecedents as she has never been involved in any other case. He has submitted that in the facts and circumstances, the petitioner deserves to be granted bail.

4. Status report dated 17.07.2025 by way of an affidavit of Sukhpal Singh, PPS, Deputy Superintendent of Police, Sub Division Nakodar, Jalandhar (Rural) on behalf of the respondent-State has been filed by learned State counsel today in the Court and the same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

5. *Per contra*, learned counsel for the State however has opposed the submissions made by counsel for the petitioner. She, on instructions, has submitted that the murder in the present case has taken place in the matrimonial home. She has submitted that there was a matrimonial discord since beginning as the deceased had no issue out of



the marriage. She has submitted that as per the postmortem report, the death in the present case has taken place due to asphyxia due to constriction of neck as a result of strangulation. She, on instructions has submitted that out of 22 prosecution witnesses, no witness has been examined till date. She has placed on record custody certificate of the petitioner dated 29.07.2025 today in the Court and the same is taken on record.

6. Heard.

7. After hearing learned counsel for the parties and perusing the record, it is deciphered that the deceased was married about 09 years ago before the date of occurrence. The petitioner before this Court is the mother-in-law of the deceased. The allegations made against the petitioner are that she in conspiracy with her sons, i.e. co-accused Amrik Singh and Jaskaran Singh @ Jassa had committed the offence. Custody certificate produced would show that the petitioner has completed incarceration of 01 year, 01 month and 01 day as on 29.07.2025. It further shows that the petitioner has no criminal antecedents as she has never been involved in any other case. Out of 22 prosecution witnesses, no witness has been examined till date.

8. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court.

9. This Court would refrain itself from commenting anything on the merits of the case. Keeping in view the arguments raised by both the sides and perusing the record, the Court is of the opinion that learned



counsel for the petitioner succeeds in making out a case for the grant of bail. Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

30.07.2025
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(RAJESH BHARDWAJ)
JUDGE

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