



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

212

CRM-M-14203-2025

Date of decision: March 28th, 2025

Gurmeet Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Pushp Jain and Mr. Tushaar Garg, Advocates
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

This is the 6th petition filed by the petitioner seeking the concession of regular bail in FIR No.80 dated 13.10.2022 registered under Section 302 of the Indian Penal Code, 1860, at Police Station Begowal, District Kapurthala.

2. Learned counsel for the petitioner submits that without there being any cogent evidence on record to connect the petitioner with the murder of her husband, she has been falsely implicated in the present case and has been languishing in custody since 13.10.2022. While drawing the attention of this Court to the allegations levelled in the FIR annexed as Annexure P-1, it has been argued that a perusal of the same clearly indicates that it is case resting on circumstantial evidence; the deceased was found lying with injuries on his person inside his own house by his father i.e. the complainant. The complainant merely raised a suspicion qua the involvement of the petitioner in the crime in question on account of her purported strained relations with the deceased. Learned counsel has

submitted that other than a vague suspicion having been raised by the complainant, there was neither any witness of last seen nor any recoveries effected. Furthermore, as per the case of the prosecution, the deceased had been clubbed to death with a *thaapi*, which was recovered pursuant to the disclosure statement allegedly suffered by the petitioner. However, the challan was completely silent with respect to any fingerprints being lifted from the weapon of offence so as to link the petitioner with the murder of her husband. Learned counsel has further argued that even though charges were framed way back on 06.04.2023, till date none of the 18 prosecution witnesses have been examined. Hence, the petitioner deserves to be extended the concession of bail as the possibility of the trial concluding in the near future does not arise.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by counsel opposite has not disputed the stage of trial nor has he disputed, on instructions, the custody period of the petitioner. It has also not been disputed that the instant case hinges on circumstantial evidence and other than the recovery of a *thaapi* pursuant to a disclosure statement made by the petitioner, no other incriminating evidence had been collected by the investigating agency after the murder came to light. On further instructions, it has not been disputed that there was no scientific evidence much less fingerprints of the petitioner lifted from the *thaapi* to connect her with the murder in question. Further, it has been asserted that there was a matrimonial dispute between the deceased and the petitioner, which was the motive for the petitioner to commit the crime in question. Learned State counsel has further reiterated the allegations levelled in the FIR in question, which are reproduced hereinunder:-

“Statement of Jarnail Singh son of Dharam Singh, resident of Nangal Lubana, Police Station Begowal, District Kapurthala, aged about 70 years, Mobile No. 70878-86559. Staetd that I am resident of above mentioned address and I have two sons and two daughters, they all are married. My wife had already died and my elder son Sikander Singh lives separately. My elder son Sikander Singh is married to Gurmeet Kaur daughter of Balbir Singh, resident of Ibrahimwal for about 20 years, who has two daughters and one son. One daughter is marred and another daughter and son are unmarried. My son Sikander Singh came back from France about 2-3 months back and my daughter in law Gurmeet Kaur after use to quarrel/fight with my son and 2-3 days after the return of my son, my daughter-in-law Gurmeet Kaur alongwith her kids went to her parental village Ibrahimwal. My daughter-in-law Gurmeet Kaur on 12.10.2022 alongwith her kids at about 1-2 in the afternoon came to her house in Nangal Lubana, who again kept fighting with my son and today morning around 6 a.m., I got to know that my son is lying on the floor and when I reached my son Sikander Singh's house and saw that my son was lying on the floor. I tried to wake him up but he was dead. There were injury marks on my son's back and other body parts. I have full belief that my son was killed by Gurmeet Kaur after giving beatings to him. Legal action be taken against my daughter-in-law Gurmeet Kaur. I have recorded my statement.”

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner has been in custody in a case resting on circumstantial evidence since 13.10.2022. It is not disputed by the learned State counsel as well that the case is being repeatedly adjourned after the charges were framed on 06.04.2023 and the prosecution

witnesses have not bothered to appear even on a single date to testify. The possibility of the trial concluding in the near future in the given circumstances seems unlikely.

6. In the facts and circumstances as enumerated hereinabove, the instant petition is allowed. The petitioner be admitted to bail to the satisfaction of the trial Court/Duty Magistrate concerned. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

March 28th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No