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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-15424-2024
Date of decision:-04.02.2025

GURMIT KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY.

Present:- Mr. Ritesh Pandey, Advocate, for the petitioner.
Mr. Ankit Grewal, DAG, Punjab.

SANJIV BERRY, J.(ORAL)

The instant petition has been preferred by the petitioner under Section 439 of the Criminal Procedure Code, for grant of regular bail in the following case :-

FIR No.	Dated	Sections	Police Station
210	11.11.2023	302, 452, 201, 34, 120-B IPC and 25, 27 of Arms Act.	Beas, District Amritsar, Rural

2. Arguments heard.
3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is a lady aged about 52 years having no criminal antecedents, has been falsely implicated without there being any specific overt act attributed to her. He contends that in fact the petitioner was taken to the house of complainant by co-accused Rajwant Kaur for pressurizing the wife of the complainant to marry her daughter to co-accused Gurpreet



Singh but when the wife of the complainant refused the proposal then co-accused Gurpreet Singh came there and fired towards the wife of the complainant. He submits that there is no specific overt act attributed to the petitioner who is in custody since 12.11.2023. After completion of investigation, challan has already been presented in Court for trial wherein only 1 witness has been examined till date. Hence he prays for grant of regular bail to the petitioner.

4. *Per contra*, learned State counsel referring to the reply submitted by the State has opposed the bail petition by arguing that although the fire had been shot by co-accused Gurpreet Singh but the petitioner had already been at the house of the complainant with the proposal of marriage of co-accused Gurpreet Singh with the daughter of the complainant. However, he admitted that challan has already been presented in Court wherein 24 witnesses have been cited by the prosecution and till date only 1 witness has been examined.

5. After considering the rival contentions and perusing the record, it transpires that the only allegations against the petitioner is that she was taken by co-accused Rajwant Kaur to the house of the complainant with the proposal to marry the daughter of the complainant to co-accused Gurpreet Singh and when the wife of the complainant refused the proposal, then the co-accused Gurpreet Singh entered the house and fired on the wife of the complainant killing her. The petitioner was arrested on 12.11.2023 and after completion of investigation, challan has already been presented in Court where it is pending trial. The prosecution has cited 24 witnesses and till date



only 1 witness has been examined. The conclusion of trial to ascertain criminal liability, if any, of the petitioner in the present case triable by the Court of Magistrate will take sufficient long time.

6. In these circumstances, without commenting on the merits of the case, it is observed that no purpose would be served by keeping petitioner any longer, especially when she is not having any criminal antecedents and no specific overt act is attributed to her. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail subject to furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court concerned, if not required in any other case; undertaking to regularly appear on each and every date; not to leave the country without prior permission of the Court; and not to tamper with evidence of prosecution in any manner.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

04.02.2025

Gyan	i)	Whether speaking/reasoned?	Yes/No
	ii)	Whether reportable?	Yes/No