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(231) IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-54897-2025

Date of decision : 22.12.2025

JASPREET KAUR @ HARDEEP KAUR

... Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA (ORAL)

Present: Mr. Harsh Vardhan Shehrawat, Advocate for the petitioner

Ms. Sakshi Bakshi, AAG, Punjab

MANISHA BATRA, J. (ORAL)

1. The instant petition has been filed by the petitioner under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking grant of regular bail in case arising out of FIR No.81 dated 15.08.2020 registered under Sections 302 and 34 of IPC registered at Police Station Jaurkian, District Mansa, Punjab.

2. The aforementioned FIR was registered on the basis of a complaint submitted by the complainant-Boota Singh on 15.08.2020 alleging that on the intervening night of 13th/14th August, 2020, he had slept in his house and at about 01:00 AM, he had woken up and had seen his son Baru Singh while talking on his mobile phone with someone. He suspected that his son was talking with the petitioner Jaspreet Kaur @ Hardeep Kaur, who was a co-villager. He had slept and when he woke

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up again, he found his son to be missing. Search was made but he could not be found. Then on the evening of 15.08.2020, dead body of his son was found lying in the Village Dharamshala. Several injuries were found on the dead body. By suspecting that Gurdeep Singh @ Gaggu Singh alongwith the petitioner had a hand in the murder of his son, he prayed for taking action.

3. After registration of FIR, investigation proceedings were initiated. The petitioner and accused-Gurdeep Singh @ Gaggu Singh were arrested on the same day. They suffered disclosure statements admitting their involvement in the crime. The petitioner got recovered the cellphone of the deceased, whereas the co-accused Gurdeep Singh @ Gaggu Singh got recovered a wooden log used by him for inflicting injuries on the person of the victim. Investigation now stands concluded.

4. It is argued by learned counsel for the petitioner that she has been falsely implicated in this case, on the allegations that co-accused Gurdeep Singh with whom she was residing suspected that she was having illicit relations with the victim and both of them in connivance with each other have committed murder of the victim. There is no direct incriminating evidence to connect her with the offence of murder of the deceased. A false recovery of mobile phone has been planted upon her. There is nothing on record to show that the said mobile phone belonged to the victim. The said mobile phone had never been sent for forensic examination. She is in custody since 15.08.2020 i.e. for a period of more than 05 years and 04 months. Trial will take a considerable time to conclude as only 11 prosecution witnesses have been examined out of 18

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prosecution witnesses, so far. No useful purpose would be served by detaining her in custody anymore. Each day spent by her in custody has extended sufficient ground to her to seek concession of bail. It is, therefore, urged that the petition deserves to be allowed.

5. Per contra, learned State counsel has argued that there are serious allegations against the petitioner. The mobile phone belonging to the victim has been recovered from her possession. The trial is going on at proper pace. Most of the prosecution witnesses have been examined and as such, there is not going to be any further delay in conclusion of the trial. There are chances of petitioner's absconding, if extended benefit of bail. It is, thus, urged that the petition does not deserve to be allowed.

6. This Court has heard the rival submissions made by the learned counsel for the parties at considerable length.

7. The petitioner in furtherance of her common intention with the co-accused is alleged to have committed the murder of the victim. 11 out of 18 prosecution witnesses have already been examined. One witness has expired, as per the status report and only few witnesses remain to be examined. As such it cannot be stated that there would be any prolonged delay in conclusion of the trial. Moreso, she is accused of a serious offence. The well settled proposition of law is that mere prolonged period of custody or the fact that the trial is likely to take time by itself or coupled with the period of incarceration are not sufficient grounds for enlarging an accused on bail, when the offence alleged is serious. Reference in this context can be had to the observations made in



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Parmod Kumar Saxena Vs. UOI, 2008(63) ACC (SC), Chenna Boyanna Krishna Yadav Vs. State of Maharashtra, (2007) 1 SCC, 242 and State through CBI Vs. Amaramani Tripathi, 2005(4) RCR (Criminal) 280(SC).

8. Taking into consideration the above discussed facts peculiar to the case, this Court is of the considered opinion that the petitioner does not deserve to be released on bail. Accordingly, the petition is dismissed. However, direction is given to the Trial Court to expedite the trial and to conclude the same within a period of 03 months from today.

9. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

10. A copy of this order be sent to the Trial Court for intimation and compliance.

(MANISHA BATRA)
JUDGE

22.12.2025
Amit Sharma

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