



CRM-M-12224 of 2026

-1-

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

231

CRM-M-12224 of 2026
Date of Decision: 30.04.2026

Bhumika

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MS. JUSTICE RUPINDERJIT CHAHAL

Present: Mr. A.S. Manaise, Advocate
for the petitioner.

Mr. Rahul Jindal, AAG, Punjab.

RUPINDERJIT CHAHAL, J (ORAL)

1. Prayer in the instant petition filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 is for grant of regular bail to the petitioner in case FIR No.304 dated 10.11.2025 registered under Sections 103 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, at Police Station Dinanagar, District Gurdaspur.

2. Brief facts of the present case are that the petitioner along with other accused murdered one Sunil Kumar (son of the complainant). Hence, the present FIR.

3. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case because of the reason that she is the daughter of the main accused (Tarsem Singh). He further submitted that the petitioner is a young girl of 21 years and studying

**CRM-M-12224 of 2026****-2-**

in B.A. at Swami Swatantartan and Memorial College, Dinanagar and she has no concern with the death of the deceased. He argued that if the contents of the FIR are taken to be true, even then no specific role/injury is attributed to the present petitioner. He further argued that later on, the complainant improved his version and got recorded his supplementary statement dated 10.11.2025 wherein he stated that the petitioner had caught hold of the legs of the deceased, casting serious doubt on the prosecution story and substantiate that the implication of the petitioner in the present case is after thought of the complainant. Moreover, the petitioner has clean antecedents as she is not involved in any other case and no recovery is to be effected from her. The petitioner is in custody since 10.11.2025. The investigation in the case is complete, challan stands presented and charges have also been framed. He further submitted that there are total 23 prosecution witnesses but none has been examined till date and as such, the trial will take a long time to conclude and no useful purpose would be served by keeping her behind bars. Therefore, it is urged that the petition deserves to be allowed.

4. On the other hand, learned State counsel has filed the custody certificate of the petitioner and status report in the matter, which are taken on record and while referring to the status report, he has vehemently opposed the prayer for grant of bail by submitting that the offence committed by the petitioner is serious in nature. However, he has not controverted the fact that the petitioner is a first time offender as she is not involved in any other case.



CRM-M-12224 of 2026

-3-

5. Having heard learned counsel for the parties at length and after perusing the record of the case, it is evident that the petitioner is in custody for the last more than 05 months; investigation is complete; challan stands presented; charges framed; out of 23 witnesses, none has been examined till date; the complicity of the petitioner is a matter of trial; which is proceeding at snail's pace, and will take a long time to conclude. Thus, no useful purpose would be served by detaining her in further custody. Her continued detention without the prospect of trial being concluded in the near future would be violative of her rights under Article 21 of the Constitution of India.

6. Reliance is placed upon a judgment in the case of ***Dataram Singh vs. State of Uttar Pradesh & Anr. 2018(2) R.C.R. (Criminal) 131***, wherein the Hon'ble Apex Court has held that keeping somebody behind the bars, till her guilt is proved, for an indefinite period amounts to infringement of her right to life and liberty, as enshrined under Article 21 of Constitution of India and is against the principle "*bail is a rule*" and "*jail is an exception*".

7. The foundational concept of the criminal jurisprudence is to ensure speedy trial. The Hon'ble Supreme Court has repeatedly reiterated that right to speedy trial is enshrined in Article 21 of the Constitution of India. Speedy trial would cover investigation, enquiry, trial, appeal, revision and retrial etc. i.e. everything starting with the accusation against the accused and expiring with the final verdict of the last Court.

8. In this regard, reference is being made to the law laid down by the Hon'ble Supreme Court in the context of right to speedy trial under Article 21 of the Constitution of India on the following decision:- ***Akhtari Bi***



CRM-M-12224 of 2026

-4-

Vs. State of M.P., (2001) 4 SCC 355, Surinder Singh Alias Shingara Singh Vs. State of Punjab, (2005) SCC (Crl) 1674, P. Ramachandra Rao Vs. State of Karnataka, (2002) 4 SCC 578, Babu Singh and others Vs. State of U.P., (1978) 1 SCC 579, Takht Singh and others Vs. State of M.P., (2001) 10 SCC 463; Special Leave to Appeal (Crl) No.2356 of 2010, Kushal Singh Vs. State of U.P. (2JJ.) and Fazal Vs. State of Uttar Pradesh, (2012) 5 SCC 752.

9. In view of the above, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail bonds/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/CJM concerned. It is clarified that nothing stated herein shall be construed as an expression of opinion on the merits of the case.

(RUPINDERJIT CHAHAL)
JUDGE

30.04.2026
D.Bansal

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