



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

207

CRM-M-16229-2026.**Date of Decision: 01.04.2026.**

Suman Pandey

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM : HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Sukhveer S. Killianwali, Advocate for the petitioner.

Mr. Vinay Malhotra, Deputy Advocate General, Punjab.

SANJAY VASHISTH, J. (Oral)

Present petition has been filed under Section 483 of BNSS (439 Cr.P.C.) seeking regular bail to the petitioner in case FIR No.18 dated 16.02.2021 under Section 302 IPC (103 BNS), registered at Police Station Gidderbaha, District Sri Muktsar Sahib.

2. First bail petition (CRM-M-34904-2021) was withdrawn on 16.11.2022 (Annexure P-3). Thereafter, application for seeking interim bail and also regular bail petition was filed and same was also withdrawn on 21.10.2024 (Annexure P-4), hence instant one is the third bail petition.

3. FIR was got registered by complainant-Bhola Lal. Complainant's son's namely Narinder Pal Singh's dead body was lying at Gidderbah and some unknown person had informed the complainant of lying of the dead body of his son on the rear seat of the car. As per FIR, Narinder Pal Singh (since deceased) had left his house on 15.02.2021 at about 10:00 a.m.

4. Learned counsel for the petitioner argues that, in fact petitioner is

inside jail since 06.03.2021 i.e. for more than a period of five years and trial is not moving at its require pace. Moreover, its a case of circumstantial evidence, wherein it will be the bounden duty of the prosecution to establish and prove the chain of events and then to create connectivity of petitioner with the murder in question. During investigation, one Jagpal Singh, who is none but relative of Narinder Pal Singh (deceased), got recorded his statement on 16.02.2021 that, he had seen petitioner along with some unknown person in a car at Bathinda Chowk Malout and at that time, dead body of Narinder Pal Singh was lying in the same car, thereupon petitioner was nominated as accused the present case.

Learned counsel further argues that petitioner is second wife of Narinder Pal Singh (since deceased), who had performed marriage against the wishes of the parents and Narender Pal Singh was residing with the petitioner as her husband and two children were born out of the said wedlock. No such evidence has been collected by the prosecution to prove that location of the dead body and witness Jagpal Singh was actually one place or not.

5. On the other hand, learned State counsel, on instructions from ASI Prabhjot Singh, submits that he is unable to cite any evidence showing witness Jagpal Singh's presence near the dead body as the official present along with the record is unable to answer the same.

6. I have considered the submissions addressed by learned counsel for the parties.

7. Considering the circumstances in totality and primarily the reason that the petitioner is already inside the jail for almost 05 years and out of total 40 prosecution witnesses, only 05 have been examined and two are given up, the petitioner cannot be detained in custody for an indefinite period.

Thus, the petition is allowed and the petitioner is ordered to be released on bail, subject to her furnishing bail/surety bonds to the satisfaction of the learned trial Court/ Chief Judicial Magistrate/Illaqa Magistrate/ Duty Magistrate concerned, if not required in any other case.

8. Any of the discussion done and recorded hereabove, shall not be construed as an expression of opinion on the facts of the case. Therefore, trial Court is expected to decide the case by taking an independent view, on the basis of evidence available on record, as expeditiously as possible in accordance with law.

9. It is further made clear that if, in future, the petitioner is found to be directly involved in similar activities, the prosecution would be at liberty to seek cancellation of bail.

(SANJAY VASHISTH)
JUDGE

01.04.2026
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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No