

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

2028.PHHC.053972



**CRM-M-17628-2026 (O&M)
Date of Decision: 08.04.2026**

**RAJWINDER KAUR ALIAS HARJINDER KAUR
... PETITIONER
VERSUS
STATE OF PUNJAB
... RESPONDENT**

CORAM : HON'BLE MR. JUSTICE H.S.GREWAL

Present:- Mr. Ritesh Pandey, Advocate for the petitioner.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (439 Cr.P.C.) in FIR No.06 dated 25.01.2024, under Sections 308, 323, 148, 149 IPC (Corresponding sections 110, 115(2), 191(3), 190 BNS), Sections 302, 452, 201, 449 of IPC added later on (corresponding Sections 103, 333, 238, 332(1) BNS) registered at Police Station Qila Lal Singh, Police District Batala, District Gurdaspur.

2. The case of the prosecution is that petitioner, along with the co-accused, attacked Jagpreet Singh, resulting in his death. The allegation against the petitioner is that she accompanied the co-accused, verbally abused the deceased, and participated in surrounding him during the incident.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that no role has been attributed to the petitioner regarding the injuries sustained by the deceased. The petitioner has been implicated in the present case solely on the basis that she was present at the spot, however, she was empty

handed. The petitioner is in custody for the last 09 months and 05 days and is not involved in any other case.

4. Notice of motion.

5. Mr. Surinderjit Singh Nahar, AAG, Punjab accepts notice on behalf of the State and vehemently opposes the prayer for grant of regular bail to the petitioner on the ground of gravity of allegations. Learned State counsel has filed the custody certificate in Court, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 09 months and 05 days. Out of total 23 prosecution witnesses, none has been examined so far.

6. I have heard the learned counsel for the parties and perused the record.

7. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that the petitioner was empty handed; no specific role has been attributed to her; similarly placed co-accused Harwinder Kaur @ Sita has already been granted regular bail vide order dated 27.02.2026 passed in CRM-M-7002-2026; the petitioner is in custody for the last 09 months and 05 days; she is not involved in any other case; charges have been framed; the conclusion of trial is likely to take a long time and continuous detention of the petitioner would not serve the ends of justice, this Court deems it fit to grant the concession of regular bail to the petitioner during the pendency of the trial.

8. Reference can be made to the judgment of the Hon'ble Supreme Court in the case of ***Pardeep Kumar @ Banu versus State of Punjab***, bearing Criminal Appeal No.1341/2026 (arising out of SLP(Cri.) No.18775/2025), decided on 13.03.2026, wherein it has been categorically

held that where the accused has remained in custody for a considerable period and the trial has not even commenced, or is not likely to conclude in the near future, therefore, continued incarceration would amount to punishment without trial. In such circumstances, further detention pending trial is not necessary and the accused is entitled to be released on bail.

9. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bail bonds, surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

10. Nothing discussed hereinabove shall be construed as an expression of opinion on the merits of the case.

08.04.2026

Janki

(H.S.GREWAL)
JUDGE

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