

2026:PHHC:068979



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

212

CRA-S-1467-2026
Date of decision:05.05.2026

RANI KAUR

... Appellant

VERSUS

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Arshpreet Khadial, Advocate
for the appellant.

Ms. Manjot Kaur, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. The present appeal has been filed against the order dated 11.08.2023 passed by learned Addl. Sessions Judge, Mansa, vide which application for regular bail of the appellant has been dismissed in FIR No.32 dated 18.04.2023, under Sections 302, 364, 346, 120-B and 201 IPC and Section 3, 4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Bareta, District Mansa.
2. Learned counsel submits that the appellant has been in custody for 3 years and 07 days. In the initial complaint, the complainant had lodged a missing report on 04.04.2023 after 2 days and thereafter on 18.04.2023, she changed the statement and made allegations that co-accused Rai Singh took the deceased (her husband) on his motorcycle to buy a phone. There is no evidence to connect the appellant with the alleged incident. Charges have been framed on

16.09.2023, however, out of total 23 prosecution witnesses, only 03 have been examined and pursuant to the order dated 13.02.2026 passed by this Court, now the complainant stands examined. Co-accused Rai Singh has already been granted regular bail by this Court vide order dated 24.03.2026 passed in CRA-S-1216-2025 after being in custody for a period of 02 years, 10 months and 24 days. She is not involved in other case.

3. The custody certificate dated 04.05.2026, filed by the learned State counsel is taken on record. As per the same, the petitioner is behind bars for the last 03 years and 07 days.

4. Learned State counsel opposed the bail on the ground that there were specific allegations against the appellant levelled by the complainant, she actively participated in commission of offence alongwith the co-accused. However, he is unable to controvert the submissions with regard to stage; not involved in any other cases and the co-accused Rai Singh having been released on bail.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the appellant is in custody for the last 3 years and 07 days; not involved in any other case; co-accused being on bail; charges stand framed on 16.09.2023; however, out of 23 prosecution witnesses, only 4 including the complainant have been examined, the trial is likely to take a considerable time, further incarceration of the appellant would be violative of her right enshrined under Article 21 of the Constitution of India, the impugned order dated 11.08.2023 is set aside and the present appeal is allowed.

7. The petitioner is ordered to be released on regular bail on her furnishing bail bonds/surety to the satisfaction of trial Court/Duty Magistrate

concerned, if not required in any other case.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein above are limited for the purpose of present proceedings and would not be construed as any opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

05.05.2026
Rajender

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