



CRM-M-32359-2026

-1-

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

212

**CRM-M-32359-2026
Date of Decision: 03.07.2026**

KULDEEP KAUR**... PETITIONER****VERSUS****STATE OF PUNJAB****... RESPONDENT****CORAM : HON'BLE MR. JUSTICE H.S.GREWAL**

Present:- Mr. Prateek Pandit, Advocate for the petitioner.

H.S. Grewal, J.(Oral)

1. This petition has been filed for grant of regular bail under Section 483 of BNSS (erstwhile Section 439 Cr.P.C) in case FIR No. 18 dated 12.04.2024 under Sections 302, 342,324,34 IPC (Section 103, 127(2), 118 (1), 3(5) BNS, 2023) registered at Police Station Fattu Dyinga District Kapurthala.
2. The case of the prosecution is that the complainant alleged that his sister, Paramjit Kaur, had solemnized marriage on her own free will with Gurpreet Singh, who is the son of the present petitioner. Owing to the disputes arising out of the said marriage, the accused persons allegedly developed a grudge against the complainant's family. On 10.04.2024, when the complainant, his father Gurmukh Singh, and his cousin were returning home and reached in front of the house of the petitioner, they allegedly found that accused namely Gurpreet Singh, Karaj Singh, Sonia, and the present petitioner were standing outside the house. It is alleged that they waylaid them, forcibly



dragged Gurmukh Singh inside the house, and assaulted him. Thereafter Gurpreet Singh inflicted a *datar* blow on the backside of head of Gurmukh Singh, while the other accused also participated in the assault. Gurmukh Singh was initially taken to the Civil Hospital, Kapurthala, and was thereafter referred to Guru Nanak Mission Hospital, Amritsar, where he succumbed to his injuries on 12.04.2024. As per the Medico-Legal Report (MLR), the deceased sustained one sharp-edged injury on the head.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on account of the enmity between the two families. He further submits that the complainant's sister and the petitioner's son had solemnized marriage on their own free will without the knowledge or consent of the petitioner and had been residing separately thereafter. It is contended that no specific overt act or injury has been attributed to the petitioner. Learned counsel further submits that, despite sufficient opportunities, the material prosecution witnesses have not yet been examined. He further submits that the petitioner is in custody for more than 01 and half year and prays for the grant of regular bail to the petitioner.

4. Notice of motion.

5. Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of the respondent-State and vehemently opposes the prayer made by learned counsel for the petitioner. Learned State counsel has filed the custody certificate in Court today, which is taken on record. As per the custody certificate, the petitioner is in custody for the last 01 year 10 months and 24 days and is not involved in any other case. He further submits that, out of the 15 cited



prosecution witnesses, only one witness has been examined, while three witnesses have been given up.

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

7. Keeping in view the facts and circumstances of the present case and the fact that the petitioner is in custody for the last 01 year 10 months and 24 days; is not involved in any other case; out of the 15 cited prosecution witnesses, only one witness has been examined, while three witnesses have been given up and that the trial is likely to take considerable time, this Court is of the view that no useful purpose would be served by further incarceration of the petitioner. Accordingly, the petitioner is granted the concession of regular bail 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

**CRM-M-32359-2026****-4-**

satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

10. It is clarified that if on bail so granted through the instant order, the petitioner is found indulging in any other criminal case it shall be open to the State to seek cancellation of his bail.

11. Pending applications, if any, shall also stand disposed of.

03.07.2026
renu

(H.S.GREWAL)
JUDGE

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