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

CRM-M-35673-2025

Date of decision: 13.01.2026

JASWANT KAUR**...PETITIONER****VERSUS****STATE OF PUNJAB****...RESPONDENT****CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Rhythem Bajaj, Advocate for the petitioner.

Mr. K.D. Sachdeva, DAG, Punjab.

Mr. Nitin Sachdeva, Advocate for the complainant.

RAJESH BHARDWAJ, J. (ORAL)

1. Present petition has been filed praying for the grant of regular bail to the petitioner in case bearing FIR No.109, dated 21.12.2023, under Sections 302, 323, 34 of IPC, registered at Police Station Jodhan, District Ludhiana Rural.
2. Succinctly the facts of the case is that the FIR was lodged on the statement of the complainant, namely, Gurmeet Kaur. It was alleged that her husband Shingara Singh was retired from Indian Army and was employed in the Punjab Police. They had dispute with their neighbours on account of blockage of the drainage being done by them. On 21.12.2023, at about 11:00 AM, ASI Balwinder Singh had come to the village to investigate the complaint filed against them by Jagdish Singh @ Pinku. She and her husband went out of the house into the street. Jagdish Singh @ Pinku and Jaswant Kaur got enraged and the dispute took place. Jagdish Singh @ Pinku brought an iron rod whereas Jaswant Kaur (present petitioner) brought a stick. Jagdish Singh @ Pinku hit her husband Shingara Singh on the head with intention to kill him. On receiving the



same, he collapsed. In the meantime, Jaswant Kaur hit her husband on the head with the stick which was in her hand. Thereafter, she gave 4 to 5 blows of the same when complainant was lying on the ground. They shifted Shingara Singh to the hospital where he was declared death. The request was made to take legal action against the accused persons. On the registration of the FIR, investigation commenced. The injured-complainant was medico legally examined and postmortem of the dead body was conducted. The supplementary statement of the complainant was recorded on 24.12.2023. The petitioner was arrested on 27.12.2023.. On completion of the investigation, the challan was presented. On framing of charges, trial commenced. He approached the learned Additional Sessions Judge, Ludhiana for grant of bail. However, after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Ludhiana declined the bail application vide order dated 23.05.2024. Thus, the petitioner is before this Court praying for the grant of bail by way of filing the present petition.

3. Learned counsel for the petitioner has vehemently contended that the petitioner and whole family has been falsely implicated in the present case. He submits that the petitioner and the complainant are neighbours. He further submits that petitioner is alleged to have inflicted a blow with a stick upon the complainant. However, there are no allegation that the petitioner had given any injuries to the deceased. He further submits that the injuries allegedly given by the petitioner to the complainant were found to be simple in nature. He further submits that the supplementary statement of the complainant was recorded after 03 days of the occurrence and in a due deliberately manner, the petitioner was alleged to have caught hold the deceased. He further submits that petitioner has



facts and circumstances, the petitioner deserves to be granted regular bail.

4. Learned counsel for the complainant has opposed the bail application on the ground that the petitioner and co-accused had common intention to kill the deceased and she had played an active role. He further submits that she was duly armed with the stick and caused injury to the complainant and one of injuries was declared to be grievous. He further submits that the petitioner even caught hold of the deceased. He further submits that the complicity of the petitioner was also captured in CCTV footage. Thus, she does not deserve the concession of regular bail.

5. Status report by way of affidavit of Varinder Singh Khosa, PPS, DSP, Dakha, District Ludhiana (Rural) on behalf of the respondent-State already filed in the Registry is taken on record.

6. *Per contra*, learned State counsel has also opposed the submissions made by counsel for the petitioner. He has submitted that the petitioner had the common intention to commit the murder of the husband of the complainant. She was duly armed with stick and she gave injuries to the complainant and caught hold the deceased. He, on instructions, submits that out of total 20 prosecution witnesses, none has been examined till date. He has produced custody certificate of the petitioner today in the Court and the same is taken on record.

7. Heard.

8. On hearing learned counsel for the parties and perusing the record, it is deciphered that the alleged occurrence has taken place on 21.12.2023. The petitioner had allegedly given the injury with the stick to the complainant. Injuries were set to have been found to be simple in nature. The supplementary statement of the complainant was also recorded 24.12.2023 after 03 days of



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completed incarceration of 02 years and 16 days as on 12.01.2026. It further reflects that the petitioner is not involved in any other case.

9. The veracity of the allegations would be assessed only after the conclusion of the trial and on the appreciation of evidence to be led by both the parties before the trial Court. The trial of the case will take sufficiently long time.

10. Thus, keeping in view the overall facts and circumstances of the case, this Court is of the opinion that learned counsel for the petitioner succeeds in making out a case for grant of regular bail. Accordingly, the present petition is allowed. Petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate. Nothing said herein shall be treated as an expression of opinion on the merits of the case.

13.01.2026
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(RAJESH BHARDWAJ)
JUDGE

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