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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.39392 of 2025

Amarjit Kaur @ Aman

..... Petitioner

versus

State of Punjab

..... Respondent

CRM-M No.52700 of 2025

Jaspal Kaur

.....Petitioner

versus

State of Punjab

..... Respondent

Date of decision: 19.01.2026

CORAM : HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present :- Mr. Rishu Mahajan, Advocate
for the petitioner in CRM-M-39392-2025.

Mr. Narinder Singh Swaitch, Advocate
for the petitioner in CRM-M-52700-2025.

Mr. Raj Karan Singh, Asstt. A.G., Punjab.

RAJESH BHARDWAJ, J. (Oral)

1. By this order, I dispose of the above mentioned two petitions arising out of the same FIR.

2. Both the petitions have been filed praying for the grant of regular bail to the petitioners in case bearing FIR No.24, dated 31.01.2021, under Sections 302, 201, 120-B of IPC, registered at Police Station Kamboj, District Amitsar.

3. Succinctly, the facts of the case are that FIR in the present



case was got registered on the statement of complainant, namely, Kulwinder Singh, son of Jagir Singh (deceased). It was alleged that his father, namely, Jagir Singh (deceased) had retired from the workshop of Railway Department in 2016. Ranjit Singh was doing the job in the Department of Military Wing, MES at Putalighar, Amritsar and the father of complainant, Jagir Singh had established acquaintance with Ranjit Singh. Ranjit Singh borrowed money from the father of complainant for his personal needs. Thereafter, son of Ranjit Singh, namely, Sukhwinder Singh @ Ajay again asked for Rs.20,000/- from the father of complainant and his father paid him an amount of Rs.20,000/- in his presence. After some time, when the complainant asked to return the money, Sukhwinder Singh tried to avoid the same on one pretext or the other. It was alleged that on 21.01.2021, at about 08:00 A.M., father of complainant, Jagir Singh, went to village Mahal on his motorcycle but he did not return. They kept searching him, however, when they failed, they lodged the missing complaint with the police on 23.01.2021. The complainant came to know that Sukhwinder Singh @ Ajay, Ranjit Singh, Jaspal Kaur (petitioner in CRM-M-52700-2025) and Aman (petitioner in CRM-M-39392-2025) in conspiracy with each other had murdered his father. Thus, the request was made to take legal action against the accused. On registration of the FIR, the investigation commenced. Complicity of both the petitioners surfaced during the investigation. Resultantly, the petitioners were arrested on 02.02.2021 and 17.02.2021, respectively. On completion of the investigation, the challan was presented and on framing of charges, the trial commenced. Both the petitioners approached the



Court of learned Additional Sessions Judge, Amritsar praying for the grant of bail. However after hearing both the sides and finding no merit in the same, the learned Additional Sessions Judge, Amritsar declined the bail applications filed by both the petitioners vide orders dated 22.02.2022 and 20.07.2021, respectively. Being aggrieved, the petitioner, namely, Amarjit Kaur, @ Aman (in CRM-M-39392-2025) earlier approached this Court twice by way of filing CRM-M-45085-2022 and CRM-M-10879-2024, however the same were dismissed as withdrawn vide orders dated 06.02.2023 and 06.03.2024, respectively, whereas the petitioner, namely, Jaspal Kaur (in CRM-M-52700-2025) earlier approached this Court by way of filing CRM-M-2239-2022, however the same was dismissed as withdrawn vide order dated 07.02.2022. Hence being aggrieved, the petitioners are before this Court by way of filing the present petitions praying for the grant of regular bail.

4. Learned counsel for the petitioners have vehemently contended that the petitioners have been falsely implicated in the present case. They have submitted that the case of prosecution is based on the circumstantial evidences. They have submitted that the deceased, namely, Jagir Singh, went missing from his home on 21.01.2021 whereas the FIR in the present case has been lodged on 31.01.2021. They have submitted that the last seen evidence is a weak type of evidence. He has submitted that the prosecution produced one witness, namely, Chotu Lal and he has been examined before the learned trial Court as PW-5, however, he has not supported the case of prosecution and thus, has been turned hostile.

They have submitted that the petitioners are behind bars since the date of



their arrest and thus, have suffered an incarceration of about 05 years, however, till date, there is no progress in the trial. They have submitted that the petitioners have no criminal antecedents and in a case, where the prosecution is left with no evidence, their right to life and liberty has been miserably defeated. They have submitted that in the facts and circumstances, the petitioners deserve to be granted bail.

5. *Per contra*, learned counsel for the State however has vehemently opposed the submissions made by learned counsels for the petitioners. He, on instructions from ASI Sarwan Singh, has submitted that the petitioners along with co-accused in conspiracy with each other eliminated the father of complainant. He has submitted that on the disclosure statement of co-accused, namely, Sukhwinder Singh, who is none other than the husband of petitioner, namely, Amarjit Kaur @ Aman (in CRM-M-39392-2025), the dead body was recovered. He has submitted that after the murder of Jagir Singh, the petitioners along with the co-accused chopped the body in pieces and disposed of the same. He, on instructions from ASI Sarwan Singh, has submitted that out of total 21 prosecution witnesses, only 02 witnesses have been examined so far. He has produced custody certificates of both the petitioners today in the Court, which are taken on record.

6. The Court has heard learned counsel for the parties and perused the record with their able assistance.

7. On hearing learned counsel for the parties and perusing the record, it is deciphered that the petitioner, namely, Amarjit Singh @ Aman (in CRM-M-39392-2025) is the wife of Sukhwinder Singh whereas the



petitioner, namely, Jaspal Kaur (in CRM-M-52700-2025) is the wife of Ranjit Singh. The last seen witness, Chotu Lal has not supported the case of prosecution. Custody certificates produced would show that the petitioner, namely, Amarjit Kaur @ Aman (in CRM-M-39392-2025) has suffered incarceration of 04 years, 11 months and 14 days whereas petitioner, namely, Jaspal Kaur (in CRM-M-52700-2025) has suffered an incarceration of 04 years, 11 months and 13 days as on 18.01.2026. It further reflects that the petitioners are not involved in any other case. Only 02 witnesses have been examined, out of total 21 prosecution witnesses.

8. Needless to say, the accused *de hors* the allegations made have a fundamental right of speedy trial.

9. The Hon'ble Supreme Court in *Ashim @ Asim Kumar Haranath Bhattacharya @ Asim Harinath Bhattacharya @ Aseem Kumar Bhattacharya Vs. National Investigation Agency, 2022(1) SCC 695* has held as under:

“Deprivation of personal liberty without ensuring speedy trial is not consistent with Article 21 of the Constitution of India. While deprivation of personal liberty for some period may not be avoidable, period of deprivation pending trial/appeal cannot be unduly long. At the same time, timely delivery of justice is part of human rights and denial of speedy justice is a threat to public confidence in the administration of justice.”

10. The Hon'ble Supreme Court in a recent decision dated 03.07.2024 in '**Javed Gulam Nabi Shaikh Vs. State of Maharashtra, Criminal Appeal No. 2787 of 2024**', has held that howsoever serious a crime may be, an accused has the right to speedy trial under the



Constitution of India.

11. 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.

12. The Court, on hearing, is of the considered opinion that keeping in view the allegations against the petitioners and their custody period, learned counsels for the petitioners succeed in making out a case for the grant of bail.

13. Accordingly, both the petitions are allowed and the petitioners, namely, Amarjit Kaur @ Aman and Jaspal Kaur are ordered to be released on bail on their 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.

19.01.2026

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Whether speaking/reasoned
Whether reportable

:
:

Yes/No
Yes/No

(RAJESH BHARDWAJ)
JUDGE