

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



CRM-M-51559-2025 (O&M)
Date of Decision: 06.04.2026

AMANDEEP KAUR **... PETITIONER**
STATE OF PUNJAB **VERSUS** **... RESPONDENT**

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

Present:- Mr. L.M.Gulati, Advocate with
Ms. Divya Gulati, Advocate for the petitioner.
Mr. Parneet Singh Pandher, A.A.G., Punjab.
Mr. Raghav Soni, Advocate for the complainant.

H.S. GREWAL, J. (ORAL)

1. The petitioner is seeking regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) in FIR No.0047 dated 18.04.2025 registered under Sections 109, 115(2) and 3(5) of BNS at Police Station Raja Sansi, District Amritsar.
2. The case of the prosecution is that the complainant is married to Nishan Singh for about 17 years and out of the wedlock two children were born. About one week prior to 18.04.2025, petitioner started living in the house of Nishan Singh. The allegations against the petitioner are that she is having an illicit relationship with the husband of the complainant and the complainant, being his wife was the victim and was forcibly administered poisonous medicine in her mouth by her husband while petitioner caught hold of her tightly.
3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The perusal of

the medical evidence shows that there is no sign of forcible administration of poison as there are no injury/marks on the face or lips of the complainant. He further submits that the petitioner is in custody for the last 11 months and 17 days and is not involved in any other case. He, thus, prays for grant of bail to the petitioner.

4. Per contra, learned State counsel and learned counsel for the complainant vehemently opposed 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. He further submits that as per the custody certificate, the petitioner is in custody for the last 11 months and 17 days.

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

6. After hearing the rival contentions of the learned counsel for the parties and keeping in view the facts and circumstances of the case that there is no sign of forcible administration of poison to the complainant as there are no injury/marks on her face or lips; the petitioner is in custody for the last 11 months and 17 days; she is not involved in any other case; trial of the case is yet to commence 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.

7. 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.

8. 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.

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

06.04.2026
Janki

(H.S.GREWAL)
JUDGE

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