



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

214

CRM-M No.64477 of 2025 (O & M)

Date of decision : 9.2.2026

Date of uploading : 9.2.2026

Ranjit Kaur alias Rani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Virat Rana, Advocate, for the petitioner

Mr. Hemant Aggarwal, DAG, Punjab

SUMEET GOEL, J. (ORAL)

1. Present second petition has been filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the petitioner in case FIR No.53 dated 22.5.2024, under Sections 302, 34, 120-B and 201 of IPC, registered at Police Station Amargarh, District Malerkotla.
2. The case set up in the FIR in question (as set out in the present petition by the petitioner) is as follows:-

“Officer Incharge, Police Station Amargarh, "Jai Hind" Today I INSP/SHO alongwith ASI Sayad Shakeel 686/LDH(Rural), Incharge Police Post Himatana, HC Gursewak Singh 939/SGR, HC Namandeein 2111/SGR, L/HC Jasvir Kaur 1868/SGR, SC Navdeep Singh 1480/SGR, Ct. Arshdeep Singh 3448/PTL, PHG Sukhwinder Singh 48000 in official vehicle bearing registration No. PB-65F-5266 Mark Scorpio bring driven by SC Ravinder Singh 68/SGR and official vehicle bearing registration No. PB-13AW-4105 Mark Bolero Camper being driven by SC Balvir Singh 1055/SGR with laptop, printer inverter etc. were present at drain bridge Abbaspura on Nabha- Malerkotla road, in connection with investigation of unidentified dead body of a woman. Then at about 01:30 PM, a secret informer came to I INP/SHO and informed in hurry manner that he was having



knowledge about the woman, whose dead body was recovered at the right side of embankment of Naushehra drain near backside of Vishal Paper Mill. That lady was kept by Mandeep Singh alias Mani son of Gurmeet Singh, resident of Sadrabad(Naushehra) with him as Concubine who is son of Ranjit Kaur alias Rani wife of Gurmeet Singh, resident of Sadrabad(Naushehra). Mandeep Singh alias Mani had made illicit relations with that lady and this lady was residing with him and usually, quarrel took place between Mandeep Singh alias Mani and deceased lady because, deceased lady was putting pressure upon Mandeep Singh alias Mani to perform marriage with her but Mandeep Singh alias Mani and his mother Ranjit Kaur alias Rani were not agree for performing marriage. Due to which, their dispute continued for long time. Hence, Mandeep Singh alias Mani and his mother Ranjit Kaur alias Rani had decided to clear this land from their ways. In the intervening night of 21/22.05.2024, they in connivance with some unidentified persons killed that lady and thrown her dead body at some abandon place at Patri of drainage for misappropriating her dead body and thereafter, all of them ran away from their houses after locking the same. This entire incident has been done by Mandeep Singh alias Mani alongwith his mother Ranjit Kaur alias Rani and other un-identified persons. Information is true and reliable. From the contents of information received from secret informer, offence under Section 302,34,120-B,201 I.P.C. is made out. Hence, ruqa is being sent through Ct. Arshdep Singh 3448/PTL to Police Station Amargarh for registration of case under above mentioned offences against Mandeep Singh alias Mani son of Gurmeet Singh, Ranjit Kaur alias Rani wife of Gurmeet Singh, residents of Sadrabad(Naushehra), Police Station Amargarh, District Malerkotla. After registration of case, case number be intimated. Control Room Malerkotla be informed. Special reports be issued. I INSP/SHO alongwith police party are busy in investigation o the spot. Sd/- Jatinderpal Singh INSP Station House Officer, Police Station Amargarh dated 22.05.2024. In the area of drainage bridge Abashpur at 02:15 PM.”

3. Learned counsel for the petitioner has iterated that the petitioner is in custody since 22.5.2024. Learned counsel has further argued that the petitioner has been falsely implicated into the FIR in question. Learned counsel has further submitted that the case in hand is not one of eye-witness account. Learned counsel has further submitted that the prime prosecution evidence available against the petitioner iis in the shape of disclosure as also recovery of one *dupatta* of her's, which is used in the commission of offence. Learned counsel has further submitted that the petitioner is in custody for more than 01 year and 8 months. Thus, regular bail is prayed for.

4. Learned State counsel has opposed the present petition by arguing that the allegations raised against the petitioner are serious in



nature and, thus, he does not deserve the concession of the regular bail. Learned State counsel seeks to place on record custody certificate dated 8.2.2026 in the Court, which is taken on record.

5. I have heard counsel for the rival parties and have gone through the available records of the case.

6. The petitioner was arrested on 22.5.2024, wherein after investigation was carried out; challan stands prepared on 16.8.2024 and was filed subsequently. It is not in dispute that total 16 prosecution witnesses have been cited, out of which one has been partly examined. It is thus indubitable that culmination of trial will take its own time. It would be apposite to refer herein to a judgment passed by the Hon'ble Supreme Court in ***Criminal Appeal No.2787 of 2024*** titled as ***Javed Gulam Nabi Shaikh vs. State of Maharashtra and another***, decided on 03.07.2024; relevant whereof reads as under:-

“19 If the State or any prosecuting agency including the court concerned has no wherewithal to provide or protect the fundamental right of an accused to have a speedy trial as enshrined under Article 21 of the Constitution then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime.

20. We may hasten to add that the petitioner is still an accused; not a convict. The over-arching postulate of criminal jurisprudence that an accused is presumed to be innocent until proven guilty cannot be brushed aside lightly. howsoever stringent the penal law may be.

21. We are convinced that the manner in which the prosecuting agency as well as the Court have proceeded, the right of the accused to have a speedy trial could be said to have been infringed thereby violating Article 21 of the Constitution.”



6.1 The rival contentions raised at Bar give rise to debatable issues, which shall be ratiocinated upon during the course of trial. This Court does not deem it appropriate to delve deep into these rival contentions, at this stage, lest it may prejudice the trial. Nothing tangible has been brought forward to indicate the likelihood of the petitioner absconding from the process of justice or interfering with the prosecution evidence.

6.2 It is indubitable that the petitioner is a lady aged about 54 years (As per memo of parties appended with the petition), hence, bail petition ought to be considered in view of proviso to Section 480(2) BNSS. It is pertinent to mention herein that the proviso to Section 480 BNSS, 2023, is *pari materia* with proviso to Section 437 Cr.P.C., 1973. In this regard, it would be apposite to refer herein to a judgment passed by this Court on 14.03.2024 in **CRM-M-11503-2024** titled as '**Ravinder Kaur Vs. State of Punjab**' (dealing with proviso to Section 437 Cr.P.C.), relevant thereof reads as under:

"It would be apposite to refer herein to the dicta of a judgment of the Hon'ble Supreme Court in a case of 'Satender Kumar Antil Vs. Central Bureau of Investigation & Anr., 2022(10) SCC 51', which held as under:

51. Proviso to Section 437 of the Code mandates that when the accused is under the age of sixteen years, sick or infirm or being a woman, is something which is required to be taken note of. Obviously, the court has to satisfy itself that the accused person is sick or infirm. In a case pertaining to women, the court is expected to show some sensitivity. We have already taken note of the fact that many women who commit cognizable offenses are poor and illiterate. In many cases, upon being young they have children to take care of, and there are many instances when the children are to live in prisons. The statistics would show that more than 1000 children are living in prisons along with their mothers. This is an aspect that the courts are expected to take note of as it would not only involve the interest of the accused, but also the children who are not expected to get exposed to the prisons. There is a grave danger of their being inherited not only with poverty but with crime as well.

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58. Section 437 of the Code empowers the Magistrate to deal with all the offenses while considering an application for bail with the



exception of an offense punishable either with life imprisonment or death triable exclusively by the Court of Sessions. The first proviso facilitates a court to conditionally release on bail an accused if he is under the age of 16 years or is a woman or is sick or infirm, as discussed earlier. This being a welfare legislation, though introduced by way of a proviso, has to be applied while considering release on bail either by the Court of Sessions or the High Court, as the case may be. The power under Section 439 of the Code is exercised against an order rejecting an application for bail and against an offence exclusively decided by the Court of Sessions. There cannot be a divided application of proviso to Section 437, while exercising the power under Section 439. While dealing with a welfare legislation, a purposive interpretation giving the benefit to the needy person being the intendment is the role required to be played by the court. We do not wish to state that this proviso has to be considered favourably in all cases as the application depends upon the facts and circumstances contained therein. What is required is the consideration per se by the court of this proviso among other factors.'

6.3 As per custody certificate dated 8.2.2026 filed by the learned State counsel, the petitioner has already suffered incarceration for a period of 01 year, 8 months and 13 days. Further, as per the said custody certificate the petitioner is stated to be involved in 2 more cases/FIRs. However, this factum cannot be a ground sufficient by itself, to decline the concession of regular bail to the petitioner in the FIR in question when a case is made out for grant of regular bail *qua* the FIR in question by ratiocinating upon the facts/circumstances of the said FIR. Reliance in this regard can be placed upon the judgment of the Hon'ble Supreme Court in ***Maulana Mohd. Amir Rashadi v. State of U.P. and another, 2012 (1) RCR (Criminal) 586***; a Division Bench judgment of the Hon'ble Calcutta High Court in case of ***Sridhar Das v. State, 1998 (2) RCR (Criminal) 477*** & judgments of this Court in CRM-M No.38822-2022 titled as ***Akhilesh Singh v. State of Haryana***, decided on 29.11.2021, and ***Balraj v. State of Haryana, 1998 (3) RCR (Criminal) 191***.

6.4 Indubitably, the present petition is the 2nd attempt by the



petitioner to secure regular bail. The last bail plea preferred by the petitioner was dismissed as withdrawn on 14.10.2025. However, keeping in view the factual *milieu* of the case in hand, especially extended incarceration of the petitioner and the pace of the trial, this Court is inclined to favourably consider the instant plea for bail. A profitable reference, in this regard, can be made to a judgment of this Court passed in ***CRA-S-2332-2023*** titled as ***Rafiq Khan versus State of Haryana and another***; relevant whereof reads as under:

“10. As an epilogue to the above discussion, the following principles emerge:

I. Second/successive regular bail petition(s) filed is maintainable in law & hence such petition ought not to be rejected solely on the ground of maintainability thereof.

II. Such second/successive regular bail petition(s) is maintainable whether earlier petition was dismissed as withdrawn/dismissed as not pressed/dismissed for non-prosecution or earlier petition was dismissed on merits.

III. For the second/successive regular bail petition(s) to succeed, the petitioner/applicant shall be essentially/pertinently required to show substantial change in circumstances and showing of a mere superficial or ostensible change would not suffice. The metaphoric expression of seeking second/successive bail plea(s) ought not be abstracted into literal iterations of petition(s) without substantial, effective and consequential change in circumstances.

IV. No exhaustive guidelines can possibly be laid down as to what would constitute substantial change in circumstances as every case has its own unique facts/circumstance. Making such an attempt is nothing but an utopian endeavour. Ergo, this issue is best left to the judicial wisdom and discretion of the Court dealing with such second/successive regular bail petition(s).

V. In case a Court chooses to grant second/successive regular bail petition(s), cogent and lucid reasons are pertinently required to be recorded for granting such plea despite such a plea being second/successive petition(s). In other words, the cause for a Court having successfully countenanced/entertained such second/successive petition(s) ought to be readily and clearly decipherable from the said order passed.”

Suffice to say, further detention of the petitioner as an undertrial



is not warranted in the facts and circumstances of the case.

7. In view of above, the present petition is allowed. Petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the Ld. concerned trial Court/Duty Magistrate. However, in addition to conditions that may be imposed by the concerned trial Court/Duty Magistrate, the petitioner shall remain bound by the following conditions:-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence, oral or documentary, during the trial.
- (iii) The petitioner shall not absent herself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit her passport, if any, with the trial Court.
- (vi) The petitioner shall give her cellphone number to the Investigating Officer/SHO of concerned Police Station and shall not change her cell-phone number without prior permission of the trial Court/Illaq Magistrate.
- (vii) The petitioner shall not in any manner try to delay the trial.
- (viii) The petitioner shall submit, on the first working day of every month, an affidavit, before the concerned trial Court, to the effect that she has not been involved in commission of any offence after being released on bail. In case the petitioner is found to be involved in any offence after her being enlarged on bail in the present FIR, on the basis of her affidavit or otherwise, the State is mandated to move, forthwith, for cancellation of her bail which plea, but of course, shall be ratiocinated upon merits thereof.

8. In case of breach of any of the aforesaid conditions and those which may be imposed by concerned CJM/Duty Magistrate as directed hereinabove or upon showing any other sufficient cause, the State/complainant shall be at liberty to move cancellation of bail of the petitioner.



- 9. Ordered accordingly.
- 10. Nothing said hereinabove shall be construed as an expression of opinion on the merits of the case.
- 11. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(SUMEET GOEL)
JUDGE

9.2.2026
Ashwani

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